

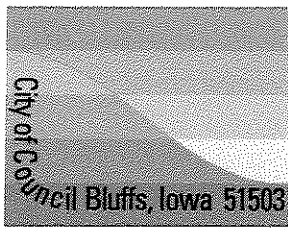
OFFICE OF:
CITY COUNCIL
(712) 328-4616

AGENDA

CITY COUNCIL STUDY SESSION COUNCIL CHAMBERS MONDAY, MARCH 23, 2009 3:45 P.M.

- A. Presentation:
Metro Area Transit (MAT) transit assistance
- B. Review of Agenda





COUNCIL AGENDA, CITY OF COUNCIL BLUFFS, IOWA
REGULAR MEETING MARCH 23, 2009 7:00 PM
COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
209 PEARL STREET

OFFICE OF:
CITY COUNCIL
(712) 328-4616

AGENDA

- 1. PLEDGE OF ALLEGIANCE**
- 2. CALL TO ORDER**
- 3. CONSENT AGENDA**
 - A. Approval of agenda and tape recording of this proceeding to be incorporated into the official minutes
 - B. Reading, correction and approval of minutes of the March 9, 2009 Council meeting
 - C. Ordinance 6029, amending the zoning map by changing the district designation of approximately 230 acres of newly annexed agricultural land located south of the Tank Farm to the centerline of 192nd Street from County zoning A-3/Riverfront and Agricultural, to City zoning A-2/Parks, Estates and Agricultural
 - D. Resolution 09-74, intent to vacate the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7 through 11, Seldin's First Addition, City of Council Bluffs, and setting public hearing for April 13, 2009. Planning Case SAV-09-001
 - E. Ordinance 6030, amending Chapter 15.03 "Definitions" of the Municipal Code by adding a new Section 15.03.685 "Wind energy conversion system (WECS)", and setting public hearing for April 13, 2009. Case ZT 09-002
 - F. Ordinance 6031, amending Chapters 15.05, 15.08A, 15.09, 15.10, 15.20, 15.21, and 15.22 of the Municipal Code to include Wind Energy Conversion System (WECS) as a conditional use, and setting public hearing for April 13, 2009. Planning Case ZT 09-002
 - G. Ordinance 6032, amending Chapter 15.24 "Supplemental use and Site Development Regulations" of the Municipal Code by adding a new Section 15.24.085, "Wind energy conversion system (WECS) regulations and minimum standards", and setting public hearing for April 13, 2009. Planning Case ZT-09-002
- 4. PUBLIC HEARINGS**
 - A. Resolution 09-75, approving the plans, specifications, form of contract and cost estimate for the Broadway Streetscape-Phase II, also called Downtown Streetscape-Phase VIII-Broadway, FY 10-11A



- B. Resolution 09-76, approving the plans, specifications, form of contract and cost estimate for the South 13th Street Improvements-Phase IV FY10-05A
- C. Resolution 09-77, authorizing the Mayor to submit an application for FY2010 State Transit Assistance
- D. Resolution 09-78, approving the plans, specifications, form of contract and cost estimate for the 31st Street Improvements - Phase III Avenue A to Avenue E FY10-05B
- E. Resolution 09-79, approving the plans, specification, form of contract and cost estimate for the South 32nd Street Sanitary Sewer improvements FY10-05D

5. RESOLUTIONS

- A. Resolution 09-80, authorizing the Mayor to submit an application to the Iowa Finance Authority for State Housing Trust Fund Project Based Program funds for the South 19th Street (23rd Avenue to 25th Avenue) Reconstruction project.
- B. Resolution 09-81, authorizing the Mayor to submit an application to the Iowa Department of Homeland Security and Emergency Management for Community Disaster Grant Program funding in the amount of \$26,475.94
- C. Resolution 09-82, authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Gas-Mart USA, Inc., d/b/a Eddy's 1839, 1839 Madison Avenue, Council Bluffs, Iowa, for a violation of Iowa Code Section 453A.2(1).
- D. Resolution 09-83, authorizing the purchase of hardware, software, license and other materials in conjunction with an implementation of a time keeping system utilizing KRONOS software from immixTechnology

6. RECEIVE AND FILE ITEMS

- A. List of Bills, February 28, 2009
- B. Cash balance statement, February 28, 2009
- C. Offer to buy City property - 1801 Avenue B
- D. Two notices of claim/loss
- E. Two Notices of expiration of right of redemption: 405 Arnold Street and 907 1/2 N. 8th Street
- F. Notification from IDOT of paved shoulder project on US Highway 6

7. APPLICATIONS FOR PERMITS AND CANCELLATIONS

- A. Eight applications for liquor license renewal:
Casey's General Store, #2284,
Famous Dave's Restaurant,
Lansky's,
Metro Wine and Spirits,
Riverside Grille,
Ruby Tuesday,
Speedee Mart 1512,
Tobacco Hut #14

8. CITIZENS REQUEST TO BE HEARD

9. OTHER BUSINESS

10. ADJOURNMENT

Record of Proceedings

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order Monday, March 9, 2009 at 7:00 p.m. by Mayor Tom Hanafan.
ATTENDANCE	Council members present: Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Tom Hanafan Staff present: Richard Wade, City Attorney; and Judith Ridgeley, City Clerk
CONSENT AGENDA	<p>Belt and Walsh moved and seconded approval of the consent agenda as read:</p> <ol style="list-style-type: none">1) Approval of agenda, addendum to agenda & tape recording be incorporated into the official minutes;2) Reading of the minutes of February 23, 2009 regular meeting and teleconference meeting March 2, 2009;3) Resolution 09-62 setting public hearing for Broadway Streetscape Phase II; and4) Resolution 09-63 setting public hearing for South 13th Street Improvements;5) Resolution 09-64, setting public hearing for South 32nd Street Sanitary Sewer Improvements; and6) Resolution 09-65, setting public hearing for 31st Street improvements. <p>Unanimous</p>
PUBLIC HEARINGS Ordinance 6029	Held public hearing regarding Ordinance 6029, amending the zoning map by changing the district designation of approximately 230 acres of newly annexed agricultural land to A-2/Parks, Estates and Agricultural. Branigan and Bates moved and seconded approval of Ordinance 6029. Unanimous
Resolution 09-66	Held public hearing regarding Resolution 09-66, approval of the plans, specifications, form of contract and cost estimate for the Lower Bennett Rehabilitation Project, Phase I. Belt and Bates moved and seconded approval of Resolution 09-66. Unanimous
RESOLUTIONS Resolution 09-67	Bates and Belt moved and seconded approval of Resolution 09-67, accepting the work of Cramer and Associates as complete and authorizing release of the retainage for the Avenue G Viaduct Project IV. Unanimous
Resolution 09-68	Belt and Branigan moved and seconded to award bonds to successful bidder in the approximate amount of \$2,435,000.00. Unanimous.
Resolution 09-69	Schultz and Bates moved and seconded approval of Resolution 09-69, authorizing the Mayor to execute an agreement with HGM for engineering services for the Fire Station Bridge crossing Indian Creek. Unanimous
Resolution 09-70	Schultz and Branigan moved and seconded approval of Resolution 09-70, accepting the work of Leazenby Construction in connection with the Regional Fire Training Facility. Unanimous

RECORD OF PROCEEDINGS

Resolution 09-71

Belt and Branigan moved and seconded approval of Resolution 09-71, authorizing the Mayor to execute an agreement with Genus Landscape for professional services related to the design, engineering and bidding elements for the Big Lake Park Rehabilitation Phase II project. Unanimous

Resolution 09-72

Branigan and Schultz moved and seconded approval of Resolution 09-72, authorizing the Mayor to execute an agreement with HGM Associates for professional services related to the concept statement, survey, design, engineering and public bidding elements for the Mid-City Trail – Phase I Paving and Phase 2

Resolution 09-73

Belt and Branigan moved and seconded approval of Resolution 09-73, approving settlement agreement in connection with the Valley View Extension project. Unanimous

RECEIVE AND FILE ITEMS

Walsh and Schultz moved and seconded approval of the following Receive and File items:

- 1) Independent Auditor's Report;
 - 2) Four Notices of expiration of right of redemption; and
 - 3) Two Notices of Claim/Loss
- Unanimous

**APPLICATIONS FOR
PERMITS OR
CANCELLATIONS**

Walsh and Branigan moved and seconded approval of the following applications:

- 1) Renewal of liquor license for Buck's Express #16, Fareway Stores, and Harrah's Council Bluffs Casino; and
 - 2) Application for new liquor license for Glory Days, 106 Broadway.
- Unanimous

**CITIZEN'S REQUEST TO
BE HEARD**

Mr. Robert Putnam, 410 S. 8th Street expressed his concerns regarding Uptown Staffing, located in the 300 block of 8th Street in that employees are leaving vehicles on the street, blocking driveways in the area.

Mr. Mitch Sorenson, 54743 8th Road, Pacific Junction, Iowa, requested an exemption from taking a standardized test to obtain a contractor's license, explaining that he had been doing work for the city for over 30 years and forgot to renew the license when due in 2004.

ADJOURNMENT

There being no further business to come before City Council, Schultz and Belt moved and seconded to adjourn at 7:18 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

RECORD OF PROCEEDINGS

Judith H. Ridgeley, City Clerk

Council Communication

Department: Community Development	Ordinance <u>6029</u>	1st Reading: <u>February 23, 2009</u> Public Hearing: <u>March 9, 2009</u> 3 rd Reading: <u>March 23, 2009</u>
Case/Project No: ZC-09-004		Planning Commission: 2-10-09
Applicant: Community Development Department		

Subject/Title

Rezone approximately 230 acres of newly annexed land from A-3/Riverfront and Agricultural Production District (County) to A-2/Parks, Estates and Agricultural (City).

Background/Discussion

The Iowa Secretary of State recently accepted voluntary annexation of approximately 230 acres of agricultural land as shown in Attachment 'A'. The City Council passed Resolution No. 08-261 on October 13, 2008 approving the voluntary annexation. Michael A. Mauro, Iowa Secretary of State notified the City with a letter dated December 16, 2008 that the voluntary annexation was consistent with §368.7 of the Iowa Code and accepted by that Office. All 230 acres are currently zoned A-3/Riverfront and Agricultural Production District in the County's classification system. §15.02.050 of the Zoning Ordinance as amended in October 2007 states that 'Annexed land shall retain the same zoning classification after annexation that it had prior to annexation. Those regulations shall remain in place until the City completes the legislative action to rezone the property.'

The rezoning is consistent with the intent of the 1994 Comprehensive Plan. Change in land use for this area is not imminent. Any development will require Planning Commission consideration and City Council action on rezoning and possible subdivision to allow for a new use.

Recommendation

The Community Development Department recommends rezoning from A-3/Riverfront and Agricultural Production District (County) to A-2/Parks, Estates and Agricultural District (City) approximately 230 acres, as shown in Attachment 'A' and legally described as:

The West½ of the SW¼ of Section 17-74-43, except the east 942.49 feet of the south 636.43 feet, lying north and east of the BNSF Railroad, Lewis Township, Pottawattamie County, Iowa; and

The SE¼ of Section 18-74-43 and a 0.28 acre triangle in the NW corner of the NW¼ NE¼ of Section 19-74-43, Lewis Township, Pottawattamie County, Iowa.

Public Hearing

Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.

Planning Commission Recommendation

The Planning Commission recommends rezoning from A-3/Riverfront and Agricultural Production District (County) to A-2/Parks, Estates and Agricultural District (City) approximately 230 acres of newly annexed land, as shown in Attachment 'A' and legally described above.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 1 Motion: Carried

Attachment: Zoning map – Attachment 'A'	
Prepared by: Gayle M. Malmquist, Development Services Coordinator GMM/cac	
Department Approval	Mayor

Donald Gross	
--------------	--

Prepared by: City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, IA 51503 (712) 328-4620
Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503

ORDINANCE NO. 6029

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.040 OF THE 2005 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY CHANGING THE DISTRICT DESIGNATION OF APPROXIMATELY 230 ACRES OF NEWLY ANNEXED AGRICULTURAL LAND LOCATED SOUTH OF THE TANK FARM TO THE CENTERLINE OF 192ND STREET, FROM ITS PRESENT COUNTY DESIGNATION AS A-3/ RIVERFRONT AND AGRICULTURAL PRODUCTION DISTRICT TO CITY DESIGNATION A-2/ PARKS, ESTATES AND AGRICULTURAL DISTRICT, AS SET FORTH AND DEFINED IN CHAPTER 15.05 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:**

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.040 of the Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by changing the district designation of approximately 230 acres of newly annexed agricultural land south of the tank farm to the centerline of 192nd Street, legally described as follows:

The W½ of the SW¼ of Section 17-74-43, except the east 942.49 feet of the south 636.43 feet, lying north and east of the BNSF Railroad, Lewis Township, Pottawattamie County, Iowa; and

The SE¼ of Section 18-74-43 and a 0.28 acre triangle in the NW corner of the NW¼ NE¼ of Section 19-74-43, Lewis Township, Pottawattamie County, Iowa,

from its present County designation as A-3/Riverfront and Agricultural Production District to City designation A-2/Parks, Estates and Agricultural District, as set forth and defined in Chapter 15.05 of the 2005 Municipal Code of Council Bluffs, Iowa.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after its final passage, approval and publication, as by law provided.

PASSED
AND
APPROVED March 23, 2009

THOMAS P. HANAFAN Mayor

Attest: _____
JUDITH RIDGELEY City Clerk

FIRST CONSIDERATION: February 23, 2009
SECOND CONSIDERATION: March 9, 2009
PUBLIC HEARING: March 9, 2009
THIRD CONSIDERATION: March 23, 2009

Planning Case No. ZC-09-004

NOTICE OF PUBLIC HEARING

ON PROPOSED REZONING OF PROPERTY

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council for the City of Council Bluffs, Iowa, has scheduled a public hearing on a proposed ordinance to amend the zoning map of the City of Council Bluffs, Iowa, by changing the district designation of approximately 230 acres of newly annexed agricultural land south of the tank farm to the centerline of 192nd Street, legally described as follows:

The W½ of the SW¼ of Section 17-74-43, except the east 942.49 feet of the south 636.43 feet, lying north and east of the BNSF Railroad, Lewis Township, Pottawattamie County, Iowa; and

The SE¼ of Section 18-74-43 and a 0.28 acre triangle in the NW corner of the NW¼ NE¼ of Section 19-74-43, Lewis Township, Pottawattamie County, Iowa,

from its present County designation as A-3/Riverfront and Agricultural Production District to City designation A-2/Parks, Estates and Agricultural District, as set forth and defined in Chapter 15.05 of the 2005 Municipal Code of Council Bluffs, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting to be held at 7:00 p.m. on the 9th day of March, 2009, in the City Council Chambers in the City Hall building, 209 Pearl Street, Council Bluffs, IA 51503, at which time and place all persons interested in said matter will be given an opportunity to be heard.

JUDITH RIDGELEY

City Clerk

Planning Case No. ZC-09-004

Council Communication

Department: Community Development Case # SAV-09-001 Applicant: L-T Properties Represented By: Todd Cook, Heartland Properties	Resolution of Intent No. <u>09-74</u> Resolution to Dispose No. _____	City Council: 03/23/09 Planning Commission: 03/10/09 Set Public Hearing: 03/23/09 Public Hearing:
Subject/Title		
Request of L-T Properties, 3406 2 nd Avenue, Council Bluffs, IA 51501, represented by Todd Cook, Heartland Properties, 535 West Broadway, Council Bluffs, IA 51503 to vacate the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7 through 11, Seldin's First Addition lying between 10 th and 11 th Avenues, west of Spruce Street.		
Background		
L-T Properties owns Lot 9, Block 7, Harriman Place (3003 10 th Avenue) and is requesting vacation of the above mentioned alley which abuts this property on the east. The alley is unopened and unimproved and has been maintained by the owners of 3003 10 th Avenue. It measures 9.43 feet wide by 260 feet long for a total of 2,451.8 square feet. Qwest Communications has two telephone cables located within the right-of-way and request an easement be retained. Other than the applicant, only two abutting owners have responded to this action. Erwin Atherton (Lot 9, Seldin's First) and Danne and Tami Salmons (Lot 8, Seldin's First) are in favor and willing to accept their portions of right-of-way. No response has been received from the other three abutting owners.		
Comments		
1. This alley is not open or improved. 2. Qwest Communications has facilities within the right-of-way so an easement needs to be retained. 3. No abutting owner has voiced opposition to the requested vacation.		
Recommendation		
The Community Development Department recommends vacating the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7 through 11, Seldin's First Addition lying between 10 th and 11 th Avenues, west of Spruce Street subject to the retention of a utility easement.		
Public Hearing		
Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.		
Planning Commission Recommendation		
The Planning Commission recommends vacation and disposal of the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7 through 11, Seldin's First Addition, subject to retention of a utility easement.		
VOTE: AYE 6 NAY 0 ABSTAIN 0 ABSENT 5 Motion: Carried		
Attachments: Map showing requested right-of-way vacation		
Prepared By: Rebecca Sall, Planning Technician, Community Development Department		



CASE #SAV-09-001



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 09-74

A RESOLUTION OF INTENT TO VACATE THE NORTH/SOUTH ALLEY ABUTTING LOT 9, BLOCK 7, HARRIMAN PLACE AND LOTS 7 THROUGH 11, SELDIN'S FIRST ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, L-T Properties requests vacation of the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7 through 11, Seldin's First Addition lying between 10th and 11th Avenues, west of Spruce Street; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying and quitclaiming all of its right, title and interest in it to the abutting property owner(s).

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That this City Council hereby declares its intent to consider disposition of the above described City property; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for April 13, 2009.

ADOPTED

AND

APPROVED: March 23, 2009

Thomas P. Hanafan

Mayor

ATTEST:

Judith H. Ridgeley,

City Clerk

Council Communication

Department and Applicant: Community Development Case No. ZT-09-002	Ordinance No. <u>6030</u>	City Council Meeting: 3-23-09 Planning Commission Meeting: 3-10-09 First Reading <u>3-23-09</u> Second Reading _____ Third Reading _____
Subject/Title		
Amend various chapters of the Municipal Code (Zoning Ordinance) relative to Wind Energy Conversion Systems (WECS), as follows: 1. Ordinance 6030, Chapter 15.03 'Definitions' – add new definition at §15.03.685 – 'Wind Energy Conversion System'. 2. Add Wind Energy Conversion System (WECS) as a Conditional Use in Chapter 15.05 'A-2/Parks, Estates and Agricultural District, Chapter 15.08A 'R-1E/Single Family Residential Estates District', Chapter 15.08B – R-1/Single Family Residential District, Chapter 15.09 R-2/Two Family Residential District, Chapter 15.10 R-3/Low Density Multi-family Residential District, Chapter 15.20 I-1/Light Industrial District, 15.21 'I-2/General Industrial District' and I-3/Heavy Industrial District'. Small systems are a conditional use in the residential districts. Both the small and large systems are conditional uses in the A-2 and the three industrial districts. Change reference to Chapter 15.02 as needed. 3. Chapter 15.24 – 'Supplemental Use and Site Development Regulations', add new §15.24.085 'Wind energy conversion system (WECS) regulations and minimum standards'.		
Background/Discussion		
Attached for your consideration are proposed amendments to Title 15 of the Municipal Code relative to Wind Energy Conversion Systems (WECS). Due to increased interest in renewable energy sources and declining costs for smaller systems, several people have inquired about the City's regulations for installing such systems. Siting for such systems is not addressed in the Zoning Ordinance. The definition proposed for §15.03.685 establishes limits for both small and commercial systems based on power generation capacity. A conditional use permit approved through the Board of Adjustment is required to install any system. Wind energy conversion system (WECS) will be added to the 'Conditional uses' listing in the A-2, R-1E, R-1, R-2, R-3, I-1, I-2, and I-3 Districts. A commercial system would only be located in the A-2 and the three industrial districts, but a small system could be approved in those districts as well the cited residential districts. Setbacks, noise and utility notification requirements are listed along with safety and design standards in the new §15.24.085 of the Supplemental Use and Site Development Regulations chapter. Reference to the recently amended Chapter 2 regarding the authority of the Board of Adjustment (formerly in Chapter 27) is made. Proposed amendments are shown in Attachment 'A'. New text is <u>underlined</u> . Text to be removed is struck through .		
Recommendation		
The Community Development Department recommends amending Title 15 of the Municipal Code (Zoning Ordinance) as follows: 1. Chapter 15.03 'Definitions' – add new definition at §15.03.685 – 'Wind Energy Conversion System'. 2. Add Wind Energy Conversion System (WECS) as a Conditional Use in Chapter 15.05 'A-2/Parks, Estates and Agricultural District, Chapter 15.08A 'R-1E/Single Family Residential Estates District', Chapter 15.08B – R-1/Single Family Residential District, Chapter 15.09 R-2/Two Family Residential District, Chapter 15.10 R-3/Low Density Multi-family Residential District, Chapter 15.20 I-1/Light Industrial District, 15.21 'I-2/General Industrial District' and I-3/Heavy Industrial District'. Small systems are a conditional use in the residential districts. Both small and large systems are conditional uses in the A-2 and the three industrial districts. Change reference to Board of Adjustment authority to Chapter 15.02. 3. Chapter 15.24 – 'Supplemental Use and Site Development Regulations', add new §15.24.085 'Wind energy conversion system (WECS) regulations and minimum standards'.		
Public Hearing		
Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.		
Planning Commission Recommendation		
The Planning Commission recommends amending Title 15 of the Municipal Code (Zoning Ordinance) as presented in Attachment 'A'. VOTE: AYE 6 NAY 0 ABSTAIN 0 ABSENT 6 Motion: Carried.		
Attachments: Attachment 'A'		
Prepared by: Gayle M. Malmquist, Development Services Coordinator		

Chapter 15.03
DEFINITIONS

15.03.593	Rubble dump
15.03.594	Salvage operation
15.03.595	School
15.03.597	Semi-truck trailer
15.03.598	Sexual or genital body parts
15.03.600	Sign
15.03.605	Specified anatomical areas
15.03.606	Specified sexual activities
15.03.608	Stoop, enclosed
15.03.609	Storage yard
15.03.610	Story
15.03.620	Street
15.03.630	Structure
15.03.640	Structural alteration
15.03.643	Tattooing
15.03.644	Tattoo parlor
15.03.645	Tavern
15.03.646	Tool or storage shed
15.03.647	Transfer of interest
15.03.650	Travel trailers
15.03.651	Truck service establishment
15.03.652	Truck terminal
15.03.660	Use
15.03.670	Variance
15.03.675	Vehicle or vessel
15.03.677	Veterinary service
15.03.681	Warehousing and distribution, general
15.03.682	Warehousing and distribution, limited
15.03.685	<u>Wind energy conversion system (WECS) (NEW)</u>
15.03.690	Yard
15.03.700	Yard, front
15.03.710	Yard, rear
15.03.720	Yard, side
15.03.730	Yard setbacks
15.03.740	Lot definitions

15.03.685 Wind energy conversion system (WECS). Any device such as a wind turbine and tower, wind charger, windmill and associated control or conversion electronics, which converts wind energy to a form of usable energy. A Small Wind Energy Conversion System (SWECS) shall have a rated capacity of not more than one hundred kilowatts (100 kW) and which is intended primarily to reduce on-site consumption of utility power. A Commercial Wind Energy Conversion System (CWECS) shall have a rated generating capacity equal to or greater than one hundred kilowatts (100 kW). Tower height is the height above grade of the fixed portion of the tower, excluding the wind turbine itself. Total extended height is the height above grade to a blade tip at its highest point of travel.

ORDINANCE NO. 6030

AN ORDINANCE to amend Chapter 15.03 "Definitions" of the 2005 Municipal Code of Council Bluffs, Iowa, by adding a new Section 15.03.685 "Wind energy conversion system (WECS)".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Chapter 15.03 "Definitions" of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by enacting a new Section 15.03.685, entitled "Wind energy conversion system (WECS)", to read as follows:

"15.03.685 Wind energy conversion system (WECS). Any device such as a wind turbine and tower, wind charger, windmill and associated control or conversion electronics, which converts wind energy to a form of usable energy. A Small Wind Energy Conversion System (SWECS) shall have a rated capacity of not more than one hundred kilowatts (100 kW) and which is intended primarily to reduce on-site consumption of utility power. A Commercial Wind Energy Conversion System (CWECS) shall have a rated generating capacity equal to or greater than one hundred kilowatts (100 kW). Tower height is the height above grade of the fixed portion of the tower, excluding the wind turbine itself. Total extended height is the height above grade to a blade tip at its highest point of travel."

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND _____, 2009
APPROVED

THOMAS P. HANAFAN Mayor

Attest: _____
JUDITH RIDGELEY City Clerk

First Consideration: March 23, 2009

Second Consideration: _____

Public Hearing: _____

Third Consideration: _____

Planning Case ZT-09-002

Council Communication

Department and Applicant: Community Development Case No. ZT-09-002	Ordinance No. <u>6031</u>	City Council Meeting: 3-23-09 Planning Commission Meeting: 3-10-09 First Reading <u>3-23-09</u> Second Reading _____ Third Reading _____
Subject/Title		
Amend various chapters of the Municipal Code (Zoning Ordinance) relative to Wind Energy Conversion Systems (WECS), as follows: 1. Ordinance 6030, Chapter 15.03 'Definitions' – add new definition at §15.03.685 – 'Wind Energy Conversion System'. 2. Ordinance 6031, Add Wind Energy Conversion System (WECS) as a Conditional Use in Chapter 15.05 'A-2/Parks, Estates and Agricultural District, Chapter 15.08A 'R-1E/Single Family Residential Estates District', Chapter 15.08B – R-1/Single Family Residential District, Chapter 15.09 R-2/Two Family Residential District, Chapter 15.10 R-3/Low Density Multi-family Residential District, Chapter 15.20 I-1/Light Industrial District, 15.21 'I-2/General Industrial District' and I-3/Heavy Industrial District'. Small systems are a conditional use in the residential districts. Both the small and large systems are conditional uses in the A-2 and the three industrial districts. Change reference to Chapter 15.02 as needed. 3. Chapter 15.24 – 'Supplemental Use and Site Development Regulations', add new §15.24.085 'Wind energy conversion system (WECS) regulations and minimum standards'.		
Background/Discussion		
Attached for your consideration are proposed amendments to Title 15 of the Municipal Code relative to Wind Energy Conversion Systems (WECS). Due to increased interest in renewable energy sources and declining costs for smaller systems, several people have inquired about the City's regulations for installing such systems. Siting for such systems is not addressed in the Zoning Ordinance. The definition proposed for §15.03.685 establishes limits for both small and commercial systems based on power generation capacity. A conditional use permit approved through the Board of Adjustment is required to install any system. Wind energy conversion system (WECS) will be added to the 'Conditional uses' listing in the A-2, R-1E, R-1, R-2, R-3, I-1, I-2, and I-3 Districts. A commercial system would only be located in the A-2 and the three industrial districts, but a small system could be approved in those districts as well the cited residential districts. Setbacks, noise and utility notification requirements are listed along with safety and design standards in the new §15.24.085 of the Supplemental Use and Site Development Regulations chapter. Reference to the recently amended Chapter 2 regarding the authority of the Board of Adjustment (formerly in Chapter 27) is made. Proposed amendments are shown in Attachment 'A'. New text is <u>underlined</u> . Text to be removed is struck through .		
Recommendation		
The Community Development Department recommends amending Title 15 of the Municipal Code (Zoning Ordinance) as follows: 1. Chapter 15.03 'Definitions' – add new definition at §15.03.685 – 'Wind Energy Conversion System'. 2. Add Wind Energy Conversion System (WECS) as a Conditional Use in Chapter 15.05 'A-2/Parks, Estates and Agricultural District, Chapter 15.08A 'R-1E/Single Family Residential Estates District', Chapter 15.08B – R-1/Single Family Residential District, Chapter 15.09 R-2/Two Family Residential District, Chapter 15.10 R-3/Low Density Multi-family Residential District, Chapter 15.20 I-1/Light Industrial District, 15.21 'I-2/General Industrial District' and I-3/Heavy Industrial District'. Small systems are a conditional use in the residential districts. Both small and large systems are conditional uses in the A-2 and the three industrial districts. Change reference to Board of Adjustment authority to Chapter 15.02. 3. Chapter 15.24 – 'Supplemental Use and Site Development Regulations', add new §15.24.085 'Wind energy conversion system (WECS) regulations and minimum standards'.		
Public Hearing		
Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.		
Planning Commission Recommendation		
The Planning Commission recommends amending Title 15 of the Municipal Code (Zoning Ordinance) as presented in Attachment 'A'. VOTE: AYE 6 NAY 0 ABSTAIN 0 ABSENT 6 Motion: Carried.		
Attachments: Attachment 'A'		
Prepared by: Gayle M. Malmquist, Development Services Coordinator		

A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT

Sections:

- 15.05.010 Statement of intent
- 15.05.020 Principal uses
- 15.05.030 Conditional uses
- 15.05.040 Accessory uses
- 15.05.050 Site development regulations
- 15.05.060 Additional regulations
- 15.05.070 Signs

15.05.010 Statement of intent. This district is intended to preserve lands best suited for agricultural, recreational, and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur.

15.05.020 Principal uses. The following principal uses shall be permitted outright in an A-2 district:

- 01. Animal production
- 02. Cemetery
- 03. Dwelling, single family detached
- 04. Family home
- 05. Government maintenance facility
- 06. Horticulture and crop production
- 07. Local utility services
- 08. Park and recreation services
- 09. Public campground
- 10. Public safety services
- 11. Religious assembly

(Ord. #5523, Sec. 1, 10/23/00)

15.05.030 Conditional uses. The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.27.02:

- 01. Agricultural sales and service
- 02. Commercial recreation (outdoor)
- 03. Day care services
- 04. Extraction activity
- 05. Funeral service in conjunction with a cemetery
- 06. Outdoor firing range
- 07. Private campground
- 08. Sanitary landfill
- 09. Rubble dump
- 10. Wind energy conversion system (WECS), subject to Section 15.24.085

(Ord. #5523, Sec. 2, 10/23/00)

15.05.040 Accessory uses. Accessory uses shall include uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. In an A-2 District only, an accessory structure may exceed the ground floor coverage of the principal structure.

15.05.050 Site development regulations.

Minimum Lot Size

Lot area: 3 acres
Lot width: 150 feet
Lot depth: 200 feet

<u>Minimum Setbacks</u>	<u>Principal Structure</u>	<u>Accessory Structure</u>
Front yard:	50 feet	greater of 50 feet or existing front setback line of principal structure
Street side yard:	20 feet	20 feet
Side yard:	10% of lot width or 10 feet whichever is greater	10% of lot width or 10 feet whichever is greater
Rear yard:	20 feet	20 feet
Maximum height:	35 feet	25 feet
Lot coverage:	10% maximum - all structures	

15.05.060 Additional regulations.

01. Reserved

15.05.070 Signs. Signage in this district shall comply with Chapter 15.33 "Signs". (Ord. 5285, 8/26/96)

Chapter 15.08A

R-1E/SINGLE FAMILY RESIDENTIAL ESTATES DISTRICT

SECTIONS:

- 15.08A.010 Statement of intent
- 15.08A.020 Principal uses
- 15.08A.030 Conditional uses
- 15.08A.040 Accessory uses
- 15.08A.050 Site development regulations
- 15.08A.060 Additional regulations
- 15.08A.070 Signs

15.08A.010. Statement of intent. This district is intended for low density residential neighborhoods characterized by single family detached dwellings on large lots. This district is also intended for areas of the city in which sanitary sewer service is deemed to be impractical due to topography or the availability and proximity of sanitary services. It is also appropriate for established areas of the city where it serves to preserve existing low density neighborhoods and for newly developed areas where environmental concerns preclude smaller lots.

15.08A.020. Principal uses. The following principal uses shall be permitted outright in an R-1E district:

- 01. Community recreation services
- 02. Dwelling, single family detached
- 03. Family home
- 04. Local utility services
- 05. Park and recreation services
- 06. Public safety services
- 07. Religious assembly

15.08A.030. Conditional uses. The following conditional uses shall be permitted in an R-1E district when authorized in accordance with the requirements set forth in Chapter 15.24-02:

- 01. Cemetery
- 02. Day care services
- 03. Small wind energy conversion system (SWECS), subject to Section 15.24.085

15.08A.040. Accessory uses. The following accessory uses shall be permitted in an R-1E district:

- 01. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. No accessory structure shall exceed the ground floor coverage of the principal structure.

15.08A.050 Site Development Regulations.

Chapter 15.08B

R-1/SINGLE FAMILY RESIDENTIAL DISTRICT

Sections:

- 15.08B.010 Statement of intent
- 15.08B.020 Principal use
- 15.08B.030 Conditional uses
- 15.08B.040 Accessory uses
- 15.08B.050 Site development regulations
- 15.08B.060 Additional regulations
- 15.08B.070 Signs

15.08B.010 Statement of intent. This district is intended for low to moderate density residential neighborhoods characterized by single family structures with supporting community facilities. This district also permits single family attached and townhouse dwellings through subdivision and overlay requirements. The R-1 district is appropriate for established and developing areas of the city.

15.08B.020 Principal uses. The following principal uses shall be permitted outright in an R-1 district:

01. Community recreational services
02. Dwelling, single family attached (as permitted in a cluster subdivision as outlined in Chapter 14.10 of the municipal subdivision code)
03. Dwelling, single family detached
04. Dwelling, townhouse (as permitted in a planned residential overlay in Chapter 15.28 of the municipal zoning code)
05. Family home
06. Local utility services
07. Park and recreation service
08. Public safety service
09. Religious assembly
10. School

15.08B.030 Conditional uses. The following conditional uses shall be permitted in an R-1 district when authorized in accordance with the requirements set forth in Chapter 15.24 02:

01. Cemetery
02. Day care service
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085

15.08B.040 Accessory uses. The following accessory uses shall be permitted in an R-1 district:

Chapter 15.09

R-2/TWO FAMILY RESIDENTIAL DISTRICT

Sections:

- 15.09.010 Statement of intent
- 15.09.020 Principal uses
- 15.09.030 Conditional uses
- 15.09.040 Accessory uses
- 15.09.050 Site development regulations
- 15.09.060 Additional regulations
- 15.09.070 Signs

15.09.010 Statement of intent. This district is intended to provide for a medium density residential neighborhood comprised of one and two family structures. This district permits single family, duplexes and townhomes. The district is also intended for established and developing areas of the community, as well as a transitional area between single family and multi-family housing developments.

15.09.020 Principal uses. The following principal uses shall be permitted outright in an R-2 district:

- 01. Community recreational services
- 02. Dwelling, single family attached
- 03. Dwelling, single family detached
- 04. Dwelling, townhouse (as permitted in a planned residential overlay in Chapter 15.28 of the municipal code)
- 05. Dwelling, two family
- 06. Family home
- 07. Local utility services
- 08. Park and recreation services
- 09. Public safety services
- 10. Religious assembly
- 11. School

15.09.030 Conditional uses. The following conditional uses shall be permitted in an R-2 district, in accordance with the requirements set forth in Chapter 15.24.02:

- 01. Cemetery
- 02. Day care services
- 03. Small wind energy conversion system (SWECS), subject to Section 15.24.085

15.09.040 Accessory uses. The following accessory uses shall be permitted in an R-2 district:

- 01. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. No accessory structure shall exceed the ground floor coverage of the principal structure.

Chapter 15.10

R-3/LOW DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT

Sections:

- 15.10.010 Statement of intent
- 15.10.020 Principal uses
- 15.10.030 Conditional uses
- 15.10.040 Accessory uses
- 15.10.050 Site development regulations
- 15.10.060 Additional regulations
- 15.10.070 Signs

15.10.010 Statement of intent. The R-3 district is intended and designed for lower density multi-family residential areas of the city. This district permits a variety of housing types and is intended for established and developing areas of the city.

15.10.020 Principal uses. The following principal uses shall be permitted in an R-3 district:

- 01. Boarding, lodging, rooming house, or bed and breakfast
- 02. Community recreation services
- 03. Congregate housing, life care facility or nursing home
- 04. Dwelling, multi-family
- 05. Dwelling, single family attached
- 06. Dwelling, single family detached
- 07. Dwelling, townhouse
- 08. Dwelling, two family
- 09. Family home
- 10. Group care home
- 11. Local utility services
- 12. Park and recreation services
- 13. Private parking lot
- 14. Public parking lot
- 15. Public safety services
- 16. Religious assembly
- 17. School

(Ord. 5917, Sec. 1, 2/26/07)

15.10.030 Conditional uses. The following conditional uses shall be permitted in an R-3 district, when authorized in accordance with the requirements set forth in Chapter 15.2702:

- 01. Cemetery
- 02. Colleges and universities
- 03. Commercial recreation (indoor and outdoor)
- 04. Business, professional office when the floor area for such use shall not exceed two thousand square feet
- 05. Cultural service
- 06. Day care services

- 07. Government maintenance facility
- 08. Juvenile detention facility
- 09. Small wind energy conversion system (SWECS), subject to Section 15.24.085

(Ord. 5917, Sec. 2, 2/26/07)

15.10.040 Accessory uses. The following accessory uses shall be permitted in an R-3 district:

- 01. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

15.10.050 Site development regulations.

Minimum Lot Size

Use	Lot area
Single family detached	5,000 square feet
Single family attached and two family dwelling	5,000 square feet except when a single family attached or two family dwelling is divided by a lot line coinciding with the common wall separating the two units, the minimum lot area shall be 2,500 square feet
Townhouse dwelling	7,500 square feet except when a townhouse dwelling unit is divided by a lot line coinciding with the common wall separating the units, the minimum lot area shall be 2,500 square feet
Multi-family dwelling (3 to 4 units)	7,500 square feet
(5 or more units)	9,000 square feet plus an increase of 2,000 square feet per each additional unit

<u>Minimum Setbacks</u>	<u>Principal Structure</u>	<u>Accessory Structure</u>
Front Yard:	20 feet	greater of 20 feet or existing front setback line of principal structure
Street side yard:	15 feet	15 feet
Interior side yard:	5 feet with one foot indentation for every story above the first floor	3 feet
Rear yard:	20 feet	3 feet
Maximum Height:	60 feet	18 feet

I-1/LIGHT INDUSTRIAL DISTRICT

Sections:

- 15.20.010 Statement of intent
- 15.20.020 Principal uses
- 15.20.030 Conditional uses
- 15.20.040 Accessory uses
- 15.20.050 Site development regulations
- 15.20.060 Additional regulations
- 15.20.070 Signs

15.20.010 Statement of intent. The I-1 district is intended to provide for the development of light manufacturing and industrial areas. This district also accommodates a mixture of commercial services and light industrial uses with relatively limited external effects.

15.20.020 Principal uses. The following principal uses shall be permitted in an I-1 district:

- 01. Agricultural sales and service
 - 02. Automobile repair, minor and major
 - 03. Automobile sales and rental
 - 04. Automobile service establishment
 - 05. Building material, sale and storage
 - 06. Business, professional office
 - 07. Business service establishment
 - 08. Commercial storage
 - 09. Consumer service establishment
 - 10. Contractor shop
 - 11. Equipment sales and rental
 - 12. Financial services
 - 13. General government use
 - 14. Governmental maintenance facility
 - 15. Greenhouse, commercial
 - 16. Hotel/motel
 - 17. Kennel, commercial
 - 18. Local utility service
 - 19. Manufacturing, light
 - 20. Private parking lot
 - 21. Public parking lot
 - 22. Public safety services
 - 23. Retail shopping establishment
 - 24. Tavern
 - 25. Warehousing and distribution, limited
- (Ord. 5557, Sec. 1, 3/26/01)

15.20.030 Conditional uses. The following conditional uses shall be permitted in an I-1 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Correctional placement residences
02. Day care services
03. Detention facility
04. Equipment repair
05. Truck service establishment
06. Truck terminal
07. Wind energy conversion system (WECS), subject to Section 15.24.085

(Ord. 5557, Sec. 2, 3/26/01)

15.20.040 Accessory uses. The following accessory uses shall be permitted in an I-1 district:

01. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

15.20.050 Site development regulations.

Minimum Lot Size

Lot area: 10,000 square feet

Lot width: 75 feet

Lot depth: 100 feet

<u>Minimum Setbacks</u>	<u>All Structures</u>
-------------------------	-----------------------

Front yard:	25 feet
-------------	---------

Interior yard:	10 feet
----------------	---------

Street side yard:	15 feet
-------------------	---------

Rear yard:	10 feet
------------	---------

Maximum height:	50 feet
-----------------	---------

Lot coverage – all structures:	60% maximum
--------------------------------	-------------

15.20.060 Additional regulations.

01. No tavern shall be located within two hundred feet of any school or religious building, public park, or any conforming residential use. Distance shall be measured between the closest points from lot line to lot line

15.20.070 Signs. Signage in this district shall comply with Chapter 15.33 "Signs".
(Ord. #5366, Sec. 3, 2/23/98)

I-2 / GENERAL INDUSTRIAL DISTRICT

Sections:

15.21.010	Statement of intent
15.21.020	Principal uses
15.21.030	Conditional uses
15.21.040	Accessory uses
15.21.050	Site development regulations
15.21.060	Additional regulations
15.21.070	Signs

15.21.010 Statement of intent. This district is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects.

15.21.020 Principal uses. The following principal uses shall be permitted in the I-2 district:

01. Agricultural sales and service
 02. Automobile repair, minor and major
 03. Automobile sales and rental
 04. Automobile service establishment
 05. Building material, sale and storage
 06. Business service establishment
 07. Commercial storage
 08. Contractor shop
 09. Data center
 10. Equipment repair
 11. Equipment sales and rental
 12. Governmental maintenance facility
 13. Greenhouse, commercial
 14. Local utility service
 15. Manufacturing, light and general
 16. Private parking lot
 17. Public parking lot
 18. Public safety services
 19. Railroad yard and intermodal facilities
 20. Sign manufacturing
 21. Tavern
 22. Truck service establishment
 23. Truck terminal
 24. Warehousing and distribution, limited and general
- (Ord. 5957, Sec. 1, 12/10/07)

15.21.030 Conditional uses. The following conditional uses shall be permitted in an I-2 district in accordance with the requirements set forth in Chapter 15.2702:

01. Contractor yard
02. Correctional placement residences
03. Day care services
04. Detention facility
05. Grain storage and distribution
06. Rubble dump
07. Salvage operations
08. Storage yard
09. Emergency shelter and homeless service center
10. Commercial recreation (indoor)
11. Meat packing and processing
12. Wind energy conversion system (WECS), subject to Section 15.24.085

(Ord. 5957, Sec. 2, 12/10/07)

15.21.040 Accessory uses. The following accessory uses shall be permitted in an I-2 district:

01. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

15.21.050 Site development regulations.

Minimum Lot Size

Lot area: 15,000 square feet

Lot width: 75 feet

Lot depth: 150 feet

<u>Minimum Setbacks</u>	<u>All Structures</u>
-------------------------	-----------------------

Front yard:	15 feet
-------------	---------

Interior yard:	10 feet
----------------	---------

Street side yard:	10 feet
-------------------	---------

Rear yard:	10 feet
------------	---------

Maximum height:	75 feet
-----------------	---------

Lot coverage – all structures:	70% maximum
--------------------------------	-------------

(Ord. 5957, Sec. 3, 12/10/07)

I-3 / HEAVY INDUSTRIAL DISTRICT

Sections:

- 15.22.010 Statement of intent
- 15.22.020 Principal uses
- 15.22.030 Conditional uses
- 15.22.040 Accessory uses
- 15.22.050 Site development regulations
- 15.22.060 Additional regulations
- 15.22.070 Signs

15.22.010 Statement of intent. The I-3 district is intended to provide areas of the city for activities and uses of a heavy industrial character. This district is designed to accommodate industrial uses which have significant external effects. These uses typically have operating characteristics and environmental effects that make them incompatible with surrounding uses. The I-3 district is most appropriately located in areas that are separated from residential and consumer-oriented commercial districts. (Ord.5958, Sec 1, 12/10/07)

15.22.020 Principal uses. The following principal uses shall be permitted outright in an I-3 district:

1. Agricultural sales and service
2. Chemical plant
3. Electric utility generation facility
4. Governmental maintenance facility
5. Grain storage and distribution
6. Horticulture and crop production
7. Local utility service
8. Manufacturing, general and heavy
9. Railroad yard and intermodal facilities
10. Sign manufacturing
11. Truck service establishment
12. Truck terminal
13. Warehousing and distribution, limited and general

(Ord. 5958, Sec. 2, 12/10/07)

15.22.030 Conditional uses. The following conditional use(s) shall be permitted in an I-3 district in accordance with the requirements set forth in Chapter 15.24.02:

01. Rubble dump
02. Meat packing and processing
03. Wind energy conversion system (WECS), subject to Section 15.24.085

ORDINANCE NO. 6031

AN ORDINANCE to amend Chapters 15.05 “A-2/Parks, Estates and Agricultural District”, 15.08A “R-1E/Single Family Residential Estates District”, 15.08B “R-1/Single Family Residential District”, 15.09 “R-2/Two Family Residential District”, 15.10 “R-3/Low Density Multi-Family Residential District”, 15.20 “I-1/Light Industrial District”, 15.21 “I-2/ General Industrial District”, and 15.22 “I-3/Heavy Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, to include Wind Energy Conversion System (WECS) as a conditional use in each chapter.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Chapter 15.05 “A-2/Parks, Estates and Agricultural District” of the 2005

Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.05.030 “Conditional uses” and enacting a new Section 15.05.030 “Conditional uses”, to read as follows:

“15.05.030 Conditional uses. The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Agricultural sales and service
02. Commercial recreation (outdoor)
03. Day care services
04. Extraction activity
05. Funeral service in conjunction with a cemetery
06. Outdoor firing range
07. Private campground
08. Sanitary landfill
09. Rubble dump
10. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 2. That Chapter 15.08A “R-1E/Single Family Residential Estates District” of the 2005

Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.08A.030 “Conditional uses” and enacting a new Section 15.08A.030 “Conditional uses”, to read as follows:

“15.08A.030 Conditional uses. The following conditional uses shall be permitted in an R-1E district when authorized in accordance with the requirements set forth in Chapter 15.27 02:

01. Cemetery
02. Day care services
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085.”

SECTION 3. That Chapter 15.08B “R-1/Single Family Residential District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.08B.030 “Conditional uses” and enacting a new Section 15.08B.030 “Conditional uses”, to read as follows:

“15.08A.030 Conditional uses. The following conditional uses shall be permitted in an R-1 district when authorized in accordance with the requirements set forth in Chapter 15.~~27~~ 02:

01. Cemetery
02. Day care services
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085.”

SECTION 4. That Chapter 15.09 “R-2/Two Family Residential District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.09.030 “Conditional uses” and enacting a new Section 15.09.030 “Conditional uses”, to read as follows:

“15.09.030 Conditional uses. The following conditional uses shall be permitted in an R-2 district in accordance with the requirements set forth in Chapter 15.~~27~~ 02:

01. Cemetery
02. Day care services
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085.”

SECTION 5. That Chapter 15.10 “R-3/Low Density Multi-Family Residential District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by

repealing Section 15.10.030 “Conditional uses” and enacting a new Section 15.10.030 “Conditional uses”, to read as follows:

“15.10.030 Conditional uses. The following conditional uses shall be permitted in an R-3 district, when authorized in accordance with the requirements set forth in Chapter 15.27 02:

01. Cemetery
02. Colleges and universities
03. Commercial recreation (indoor and outdoor)
04. Business, professional office when the floor area for such use shall not exceed two thousand square feet
05. Cultural service
06. Day care services
07. Government maintenance facility.
08. Juvenile detention facility
09. Small wind energy conversion system (SWECS), subject to Section 15.24.085.”

SECTION 6. That Chapter 15.20 “I-1/Light Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.20.030

“Conditional uses” and enacting a new Section 15.20.030 “Conditional uses”, to read as follows:

“15.20.030 Conditional uses. The following conditional uses shall be permitted in an I-1 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Correctional placement residences
02. Day care services
03. Detention facility
04. Equipment repair
05. Truck service establishment
06. Truck terminal
07. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 7. That Chapter 15.21 “I-2/General Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section

15.21.030 “Conditional uses” and enacting a new Section 15.21.030 “Conditional uses”, to read as follows:

“15.21.030 Conditional uses. The following conditional uses shall be permitted in an I-2 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Contractor yard
02. Correctional placement residences
03. Day care services
04. Detention facility
05. Grain storage and distribution
06. Rubble dump
07. Salvage operations
08. Storage yard
09. Emergency shelter and homeless service center
10. Commercial recreation (indoor)
11. Meat packing and processing
12. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 8. That Chapter 15.22 “I-3/Heavy Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.22.030

“Conditional uses” and enacting a new Section 15.22.030 “Conditional uses”, to read as follows:

“15.22.030 Conditional uses. The following conditional uses shall be permitted in an I-3 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Rubble dump
02. Meat packing and processing
03. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 9. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. These are Ordinance No. 5523, Section 2, (2000); Ordinance No. 5305, Section 1, Section 2 (part) (1996); Ordinance No. 5306,

Section 1 (part) (1996); Ordinance No. 5917, Section 2 (2007); Ordinance No. 5557, Section 2 (2001); Ordinance No. 5957, Section 2 (2007); Ordinance No. 5958, Section 3 (2007) .

SECTION 10. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 11. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND _____, 2009
APPROVED

THOMAS P. HANAFAN Mayor

Attest:

JUDITH RIDGELEY City Clerk

First Consideration March 23, 2009

Second Consideration: _____

Public Hearing: _____

Third Consideration: _____

Planning Case ZT-09-002

Council Communication

Department and Applicant: Community Development Case No. ZT-09-002	Ordinance No. <u>6032</u>	City Council Meeting: 3-23-09 Planning Commission Meeting: 3-10-09 First Reading <u>3-23-09</u> Second Reading _____ Third Reading _____
Subject/Title Amend various chapters of the Municipal Code (Zoning Ordinance) relative to Wind Energy Conversion Systems (WECS), as follows: 1. Ordinance 6030, Chapter 15.03 'Definitions' – add new definition at §15.03.685 – 'Wind Energy Conversion System'. 2. Ordinance 6031, Add Wind Energy Conversion System (WECS) as a Conditional Use in Chapter 15.05 'A-2/Parks, Estates and Agricultural District, Chapter 15.08A 'R-1E/Single Family Residential Estates District', Chapter 15.08B – R-1/Single Family Residential District, Chapter 15.09 R-2/Two Family Residential District, Chapter 15.10 R-3/Low Density Multi-family Residential District, Chapter 15.20 I-1/Light Industrial District, 15.21 'I-2/General Industrial District' and I-3/Heavy Industrial District'. Small systems are a conditional use in the residential districts. Both the small and large systems are conditional uses in the A-2 and the three industrial districts. Change reference to Chapter 15.02 as needed. 3. Ordinance 6032 Chapter 15.24 – 'Supplemental Use and Site Development Regulations', add new §15.24.085 'Wind energy conversion system (WECS) regulations and minimum standards'.		
Background/Discussion Attached for your consideration are proposed amendments to Title 15 of the Municipal Code relative to Wind Energy Conversion Systems (WECS). Due to increased interest in renewable energy sources and declining costs for smaller systems, several people have inquired about the City's regulations for installing such systems. Siting for such systems is not addressed in the Zoning Ordinance. The definition proposed for §15.03.685 establishes limits for both small and commercial systems based on power generation capacity. A conditional use permit approved through the Board of Adjustment is required to install any system. Wind energy conversion system (WECS) will be added to the 'Conditional uses' listing in the A-2, R-1E, R-1, R-2, R-3, I-1, I-2, and I-3 Districts. A commercial system would only be located in the A-2 and the three industrial districts, but a small system could be approved in those districts as well the cited residential districts. Setbacks, noise and utility notification requirements are listed along with safety and design standards in the new §15.24.085 of the Supplemental Use and Site Development Regulations chapter. Reference to the recently amended Chapter 2 regarding the authority of the Board of Adjustment (formerly in Chapter 27) is made. Proposed amendments are shown in Attachment 'A'. New text is <u>underlined</u> . Text to be removed is struck through .		
Recommendation The Community Development Department recommends amending Title 15 of the Municipal Code (Zoning Ordinance) as follows: 1. Chapter 15.03 'Definitions' – add new definition at §15.03.685 – 'Wind Energy Conversion System'. 2. Add Wind Energy Conversion System (WECS) as a Conditional Use in Chapter 15.05 'A-2/Parks, Estates and Agricultural District, Chapter 15.08A 'R-1E/Single Family Residential Estates District', Chapter 15.08B – R-1/Single Family Residential District, Chapter 15.09 R-2/Two Family Residential District, Chapter 15.10 R-3/Low Density Multi-family Residential District, Chapter 15.20 I-1/Light Industrial District, 15.21 'I-2/General Industrial District' and I-3/Heavy Industrial District'. Small systems are a conditional use in the residential districts. Both small and large systems are conditional uses in the A-2 and the three industrial districts. Change reference to Board of Adjustment authority to Chapter 15.02. 3. Chapter 15.24 – 'Supplemental Use and Site Development Regulations', add new §15.24.085 'Wind energy conversion system (WECS) regulations and minimum standards'.		
Public Hearing Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.		
Planning Commission Recommendation The Planning Commission recommends amending Title 15 of the Municipal Code (Zoning Ordinance) as presented in Attachment 'A'. VOTE: AYE 6 NAY 0 ABSTAIN 0 ABSENT 6 Motion: Carried.		
Attachments: Attachment 'A'		
Prepared by: Gayle M. Malmquist, Development Services Coordinator		

SUPPLEMENTAL USE AND SITE DEVELOPMENT REGULATIONS

Sections:

15.24.010	Purpose
15.24.020	Accessory uses
15.24.030	Home occupation
15.24.040	Fence regulations
15.24.050	Lighting controls
15.24.060	Yard exceptions and permitted intrusions into required yards
15.24.070	Height exceptions
15.24.080	Antenna and tower regulations
15.24.085	<u>Wind energy conversion system (WECS) regulations and minimum standards</u>
15.24.090	Front yard exception in residential districts
15.24.100	Rear yard exception in residential districts

15.24.010 Purpose. Supplemental use and development regulations set forth additional standards for certain uses within various zoning districts recognizing that certain uses have operating characteristics that require additional regulations to protect the public health, safety and welfare. These supplemental regulations complement the uses permitted in each zoning district, qualify or modify the district site development regulations and provide for specific areas of exception.

15.24.020 Accessory uses. Unless otherwise permitted, only one principal structure or use is permitted per lot. Unless otherwise prohibited or restricted, a permitted principal use also allows uses, buildings and structures incidental to the permitted use, if located on the same site or building lot. The accessory use and/or structures or buildings shall not be established or erected prior to the establishment or construction of the principal permitted use of the building, structure or land and shall be subordinate, incidental to and compatible with the character of the principal permitted use.

The following types of accessory uses shall be permitted in residential districts, subject to the site development regulations for the zoning district in which it is located, unless otherwise provided in these regulations:

01. Fencing, subject to Section 15.24.040;
02. Garage sales, limited to six days during any calendar year;
03. Garage, and off-street parking for personal vehicles, subject to Chapter 15.23;
04. Greenhouse, for personal, non-commercial use only;
05. Home occupation, subject to Section 15.24.030;
06. Radio and communications receiving antenna and tower, subject to Section 15.24.080;
07. Swimming pool, including a bath house, tennis court or other recreational facilities commonly accessory to a dwelling and used only by the residents and non-paying guests;
08. Tool, storage shed, gazebo, patio, and similar buildings and structures for personal noncommercial use only;

09. Structures for the shelter of household pets, for personal non-commercial use.

15.24.030 Home occupation. A home occupation shall be subject to the following requirements:

01. A home occupation shall be conducted entirely within the dwelling or principal building and may not employ any individuals other than residents of the dwelling;
02. Such use shall be incidental and secondary to the residential use of the dwelling and shall not change the residential character;
03. No signs, radio, television, newspaper, handbill or other similar types of advertising are permitted linking the address of the premises with the home occupation;
04. A home occupation shall be limited to performance of services only and no commodity, directly or incidental shall be sold on the premises;
05. There shall be no exterior storage of equipment or materials used in a home occupation;
06. There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.

15.24.040 Fence regulations. Fences, including masonry walls, vegetation, ornamental iron, chain link, open wood, solid wood or metal, forming a physical barrier, placed on private property, used for any purpose shall conform to the following requirements:

01. General Requirements For All Zoning Districts.
 - (a) No fence placed on any lot shall project over the property line. No fence or obstruction shall be placed in the public right-of-way.
 - (b) The height of a fence shall be measured from the grade on which the fence is placed.
 - (c) The finished side of any fence shall be directed toward the street right-of-way and adjoining properties.
 - (d) No fence or any other obstruction shall be placed within an equilateral triangle having sides of thirty-five (35) feet each running along the edge of the pavement, or curb if present, of each abutting street. The apex of this triangle shall be at the point of the intersection of the edges of the pavement or curbs of such streets when extended out to a point.
 - (e) No fence shall be placed within three feet of a fire hydrant. No fence shall block visibility or access to a fire hydrant from the street.
02. General Requirements for Open Space/Recreation and Industrial Districts.
 - (a) A fence placed in any yard shall not exceed eight feet in height.
 - (b) In I-2 and I-3 Districts when the parcel is 50 contiguous acres or more, a fence not to exceed 10 feet in height is permitted in the interior, street side and rear yards. In the front yard, the height of the fence shall not exceed 8 feet unless its placement meets the setback requirements for structures. Fencing material for a 10 foot tall fence shall be limited to vinyl coated chain link material with no sharp or pointed projections or barbed wire strands permitted.

- (c) Barbed wire fences zero to six feet in height are permitted in A-1 and A-2 districts for agricultural uses only.
 - (d) Security fences with sharp or pointed projections or containing barbed wire strands are allowed in the A-2, I-1, I-2, and I-3 districts if placed atop a conforming fence of at least six feet in height, with total fence height not to exceed eight feet.
 - (e) Electrically-charged fences located within the boundaries of a conforming fence are permitted in A-1, A-2, I-1, I-2 and I-3 districts for agricultural uses only.
03. General Requirements for Residential and Commercial Districts.
- (a) In a front yard or a street side yard, the height of a fence shall not exceed 4 feet, unless its placement meets the setback requirements for principal and accessory structures. Exception: ornamental iron fences located in front or street side yards may exceed four foot in height, but are limited to six feet in overall height.
 - (b) No solid fence shall be placed within a front yard or street side yard which creates a safety hazard by obstructing the clear view of pedestrians or vehicles.
 - (c) In an interior side yard or rear yard, the height of a fence, excepting vegetation fences, shall not exceed six feet. Fences in residential areas proposed to exceed six feet in height shall be reviewed on a case by case basis by the mayor or designee.
 - (d) Security fences with sharp or pointed projections or containing barbed wire strands may be permitted in a C-2 District when placed on top of an otherwise conforming fence, if the following conditions are met:
 - (i) The site shall not abut any residential district; and
 - (ii) The use shall comply with all requirements for conforming uses and the site development regulations in a C-2 District.
04. Required Fences.
- (a) A fence shall be required where any conforming commercial or industrial use abuts a residential district. The fence shall be provided at the abutting side and rear property lines. A fence shall also be required for any open storage area in an industrial district which blocks all view of the storage area at or beyond the property line. The fence shall be provided by one of the following methods:
 - (i) A wood and/or masonry fence, at least fifty (50) percent opaque, six feet in height;
 - (ii) A vegetation fence capable of providing a substantially opaque barrier and attaining a height of six feet within three years of planting;
 - (iii) A landscaped earth berm with a maximum slope of three to one vertical/horizontal, no more than six feet above the existing grade of the property line separating the zoning districts; or
 - (iv) Any combination of the described methods that achieves a cumulative height of six feet.

05. Maintenance. Upon placement of a fence, appropriate measures shall be taken by the fence owner to ensure continued maintenance.
(Ord. No. 5963, Sec. 1, 1/28/08)

15.24.050 Lighting controls. Any light used for the illumination of signs, parking areas, swimming pools or for any other purpose shall be arranged in such a manner as to direct the light away from neighboring residential properties and away from the vision of passing motorists and pedestrians.

15.24.060 Yard exceptions and permitted intrusions into required yards. The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

01. The following building features may project into the required front yard no more than six feet and into the required side yards no more than three feet, provided that such projections are no closer than three feet to any side yard line:
 - (a) Chimneys and fireplaces;
 - (b) Porches, as defined in Chapter 15.03, platforms and landings which do not extend above the level of the first floor of the building.
02. The following building features may project into the required front yard no more than three feet and into the required side yard no more than three feet, provided that such projections are no closer than three feet to any side yard line:
 - (a) Eaves, cornices, belt courses, leaders, sills, awnings, lintels, gutters, and other similar features.
03. Ramps constructed to make a structure accessible to persons with disabilities may project into the required yard(s) to the extent necessary for access, if, upon review by the mayor or designee, it is determined that the ramp has been designed to minimize the intrusion into the required yard(s) and creates no hazard to the public.

15.24.070 Height exceptions. The following types of structures are not subject to the height limitations of this title: chimneys, church spires, cupolas, elevator shafts, fire and hose towers, observation towers and water towers.
(Ord. No. 5963, Sec. 2, 1/28/08)

15.24.080 Antenna and tower regulations. Radio towers, operated by amateur radio operators and other communications devices intended for personal, non-commercial use, may exceed the height limitation of the zoning district in which it is located by not more than 25 percent. The device shall not be located in any required yard of the principal use.

15.24.085 - Wind energy conversion system (WECS) regulations and minimum standards. A conditional use permit may be granted to allow wind energy conversion systems to operate in the cited zoning districts, subject to the following minimum standards:

01. The base of the tower shall be set back from all property lines, public right-of-way and public utility lines a distance equal to the total extended height. No portion of the total extended height shall be in front of the front of the principle structure or into the front or street side yard setback for the zoning district in which it is situated. A reduction may be granted to a specific setback distance if the Board finds that such reduction shall not adversely affect surrounding property and does not interfere with public utility lines or public road and rail rights-of-way.
02. The minimum distance between the tower support bases of any two WECS under different ownership shall be five times the diameter of the largest rotor. A reduction may be granted in this requirement if it finds that such a requirement does not adversely affect the operation of either WECS.
03. WECS operation shall not cause interference with power quality of area utility feeder circuits and shall not introduce noise to the connected electric distribution system. WECS shall not cause interference to radio, telephone, microwaves or television reception on adjoining property.
04. The WECS, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth in the electric utility's then current service regulations applicable to WECS. Evidence is required that the utility company has been informed and has approved the customer's intent to install an interconnected customer-owned generator, prior to issuance of any construction permit. Owners shall also inform the electric utility of their intent to install off-grid systems prior to issuance of any construction permit.
05. Data pertaining to the turbine safety and stability shall be filed with the conditional use permit application. Such data shall include turbine safety and acceptance results from tests conducted by a qualified individual or organization, based upon standards set by the U. S. Department of Energy (DOE), Electric Power Research Institute (EPRI) Utility Turbine Verification Program or other certification program recognized by the American Wind Energy Association.
06. Sound produced by the turbine under normal operating conditions as measured at the property line, shall not exceed the definition of nuisance noise as defined in Section 4.50.080 'Sound levels by receiving land use' in Chapter 4.50 'Noise Control' of the Municipal Code. Sound levels may be exceeded during short-term events out of anyone's control, such as utility outages and/or severe weather.
07. No WECS shall be constructed, altered or maintained to project above the imaginary airspace surfaces described in FAR Part 77 of the FAA guidance on airspace protection.

08. A WECS shall be considered a discontinued use after six consecutive months without energy production. All WECS and accessory facilities shall be completely removed at owner's expense within 180 days of the discontinuation of use. The 180 day limit may be extended if proof of weather delay is provided.
09. Rooftop turbines, not to exceed 3 feet in total extended height, also known as architecturally integrated or vertical axis wind turbines are exempt from these requirements, if the total extended height does not exceed the maximum height permitted for the structure upon which it is placed.
10. 10. Safety and Design standards:
- (a) Rotor blades or airfoils must maintain a minimum of 12 feet of clearance between their lowest point and the ground.
 - (b) All wind turbines shall be installed with a tubular, monopole type tower.
 - (c) All wind turbines and towers shall be white, grey or another non-obtrusive color. Blades may be black in order to facilitate deicing. Finishes shall be matte or non-reflective.
 - (d) All communications and connector lines associated with the project distribution system shall be buried.
 - (e) Installation shall comply with the National Electrical Code. Line drawings with sufficient detail to substantiate compliance shall accompany the application.
 - (f) Standard drawings of the wind turbine structure, including the tower, base and footings along with an engineering analysis showing compliance with applicable regulations and certified by a licensed professional engineer shall accompany the application.
 - (g) Installation shall be completed by a qualified professional, certified by the manufacturer to install the system according to the manufacturer's recommendations.
 - (h) Outdoor storage is not permitted.
 - (i) Signs. All signs, including the manufacturer or installer's identification, appropriate warning signs or owner's identification on the WECS visible from any public road shall be prohibited.
 - (j) Lighting. No illumination of the turbine or tower shall be allowed unless required by the FAA.
 - (k) Access. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing.

15.24.090 Front yard exception in residential districts. The required front yard shall be as stated in each zoning district, except when forty-five percent or more of the frontage on one side of a street between two intersecting streets is improved with buildings and a majority of the improved frontage have front yard setbacks less than those required for that zoning district, then the minimum required front yard setback for new construction shall be the average distance of the improved frontage.

15.24.100 Rear yard exception in residential districts. The required rear yard in an irregular lot may be measured as the average horizontal distance between the building and the rear lot line, provided that the closest point of the building to the rear property line shall not be less than sixty (60) percent of the rear yard required by the zoning district.

(Ord. No. 5323, Sec. 4, May 19, 1997)

ORDINANCE NO. 6031

AN ORDINANCE to amend Chapters 15.05 “A-2/Parks, Estates and Agricultural District”, 15.08A “R-1E/Single Family Residential Estates District”, 15.08B “R-1/Single Family Residential District”, 15.09 “R-2/Two Family Residential District”, 15.10 “R-3/Low Density Multi-Family Residential District”, 15.20 “I-1/Light Industrial District”, 15.21 “I-2/ General Industrial District”, and 15.22 “I-3/Heavy Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, to include Wind Energy Conversion System (WECS) as a conditional use in each chapter.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Chapter 15.05 “A-2/Parks, Estates and Agricultural District” of the 2005

Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.05.030 “Conditional uses” and enacting a new Section 15.05.030 “Conditional uses”, to read as follows:

“15.05.030 Conditional uses. The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.27.02:

01. Agricultural sales and service
02. Commercial recreation (outdoor)
03. Day care services
04. Extraction activity
05. Funeral service in conjunction with a cemetery
06. Outdoor firing range
07. Private campground
08. Sanitary landfill
09. Rubble dump
10. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 2. That Chapter 15.08A “R-1E/Single Family Residential Estates District” of the 2005

Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.08A.030 “Conditional uses” and enacting a new Section 15.08A.030 “Conditional uses”, to read as follows:

“15.08A.030 Conditional uses. The following conditional uses shall be permitted in an R-1E district when authorized in accordance with the requirements set forth in Chapter 15.27.02:

01. Cemetery
02. Day care services
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085."

SECTION 3. That Chapter 15.08B "R-1/Single Family Residential District" of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.08B.030 "Conditional uses" and enacting a new Section 15.08B.030 "Conditional uses", to read as follows:

"15.08A.030 Conditional uses. The following conditional uses shall be permitted in an R-1 district when authorized in accordance with the requirements set forth in Chapter 15.27 02:

01. Cemetery
02. Day care services
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085."

SECTION 4. That Chapter 15.09 "R-2/Two Family Residential District" of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.09.030 "Conditional uses" and enacting a new Section 15.09.030 "Conditional uses", to read as follows:

"15.09.030 Conditional uses. The following conditional uses shall be permitted in an R-2 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Cemetery
02. Day care services
03. Small wind energy conversion system (SWECS), subject to Section 15.24.085."

SECTION 5. That Chapter 15.10 "R-3/Low Density Multi-Family Residential District" of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by

repealing Section 15.10.030 “Conditional uses” and enacting a new Section 15.10.030 “Conditional uses”, to read as follows:

“15.10.030 Conditional uses. The following conditional uses shall be permitted in an R-3 district, when authorized in accordance with the requirements set forth in Chapter 15.27 02:

01. Cemetery
02. Colleges and universities
03. Commercial recreation (indoor and outdoor)
04. Business, professional office when the floor area for such use shall not exceed two thousand square feet
05. Cultural service
06. Day care services
07. Government maintenance facility.
08. Juvenile detention facility
09. Small wind energy conversion system (SWECS), subject to Section 15.24.085.”

SECTION 6. That Chapter 15.20 “I-1/Light Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.20.030

“Conditional uses” and enacting a new Section 15.20.030 “Conditional uses”, to read as follows:

“15.20.030 Conditional uses. The following conditional uses shall be permitted in an I-1 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Correctional placement residences
02. Day care services
03. Detention facility
04. Equipment repair
05. Truck service establishment
06. Truck terminal
07. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 7. That Chapter 15.21 “I-2/General Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section

15.21.030 “Conditional uses” and enacting a new Section 15.21.030 “Conditional uses”, to read as follows:

“15.21.030 Conditional uses. The following conditional uses shall be permitted in an I-2 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Contractor yard
02. Correctional placement residences
03. Day care services
04. Detention facility
05. Grain storage and distribution
06. Rubble dump
07. Salvage operations
08. Storage yard
09. Emergency shelter and homeless service center
10. Commercial recreation (indoor)
11. Meat packing and processing
12. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 8. That Chapter 15.22 “I-3/Heavy Industrial District” of the 2005 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.22.030

“Conditional uses” and enacting a new Section 15.22.030 “Conditional uses”, to read as follows:

“15.22.030 Conditional uses. The following conditional uses shall be permitted in an I-3 district in accordance with the requirements set forth in Chapter 15.27 02:

01. Rubble dump
02. Meat packing and processing
03. Wind energy conversion system (WECS), subject to Section 15.24.085.”

SECTION 9. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. These are Ordinance No. 5523, Section 2, (2000); Ordinance No. 5305, Section 1, Section 2 (part) (1996); Ordinance No. 5306,

Section 1 (part) (1996); Ordinance No. 5917, Section 2 (2007); Ordinance No. 5557, Section 2 (2001); Ordinance No. 5957, Section 2 (2007); Ordinance No. 5958, Section 3 (2007) .

SECTION 10. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 11. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND _____, 2009
APPROVED

THOMAS P. HANAFAN Mayor

Attest:

JUDITH RIDGELEY City Clerk

First Consideration March 23, 2009

Second Consideration: _____

Public Hearing: _____

Third Consideration: _____

Planning Case ZT-09-002

COUNCIL COMMUNICATION

Department: Public Works

Ordinance No. _____

First Reading March 23, 2009

Case/Project No.: FY10-11A

Resolution No. 09-75

Applicant: Ron Neal, P. E., City Engineer

SUBJECT/TITLE

After the Public Hearing council consideration of a resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids setting April 16, 2009, at 10:00 a.m. as the date and time for the bid opening for Broadway Streetscape-Phase II, also called (Downtown Streetscape-Phase VIII-Broadway). Project #FY10-11A.

BACKGROUND/DISCUSSION

- The city, in partnership with Iowa West Foundation has implemented a program to rebuild the downtown public infrastructure and incorporate a streetscape theme. Seven phases have been completed to date. The first phase was in 1998 and the seventh was in 2008.
- To date the total cost of the program is \$12,700,000.
- Proposed is Phase VIII overall and Phase II for the Broadway section. Phase II is Broadway from 2nd Street to 1st Street.
- Improvements in Phase VIII include street, storm sewer, and sanitary sewer replacement. Streetscape amenities include landscaping, irrigation, walls, entry columns, interpretive elements, benches, street lights, decorative concrete and brick.
- HGM and Public Works met with local businesses along this project. We have incorporated public input into the final design.
- Due to PCDC building demolition on the south side of Broadway and extensive utility relocation work in the 1st Street & Broadway intersection, the project will be constructed in two phases. Phase A, FY10-11A, will reconstruct Broadway & 2nd Street intersection, then the north sidewalk with various utilities, then the Broadway & 1st Street intersection. This work will be completed in 2009. The second phase FY10-11B will reconstruct the street between 1st and 2nd Street, and the south sidewalk. Phase B will be bid in the winter of 2009 and will begin in the spring of 2010.
- This is project FY10-11 in the CIP and total cost of the project is estimated at \$3,100,000. The project budget is \$1,500,000 GO Bonds, \$1,300,000 Iowa West Foundation Grant, and \$300,000 Council Bluffs Water Works. Phase A, FY10-11A - 2009 construction and engineering is estimated at \$2,000,000. Phase B, FY10-11B – 2010 construction and engineering is estimated at \$1,100,000.
- Project Schedule is: Setting the Public Hearing, March 9, 2009; Hold Public Hearing, March 23, 2009; Construction Letting, April 16, 2009 and Construction Award, April 27, 2009; Construction Start May, 2009; Construction Completion November, 2009.

RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director

RESOLUTION
NO. 09-75

**RESOLUTION APPROVING THE PLANS, SPECIFICATION,
FORM OF CONTRACT AND COST ESTIMATE FOR THE
BROADWAY STREETSCAPE-PHASE II,
ALSO CALLED (DOWNTOWN STREETSCAPE-PHASE VIII-BROADWAY)
FY10-11A**

WHEREAS, the plans, specification, form of contract and cost estimate
 are on file in the office of the City Clerk of the City of
 Council Bluffs, Iowa for the Broadway Streetscape-Phase II,
 also called (Downtown Streetscape-Phase VIII-Broadway); and

WHEREAS, A Notice of Public Hearing was published as required
 by law, and a public hearing was held on March 23, 2009.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract and cost estimate are hereby approved for the
Broadway Streetscape-Phase II, also called (Downtown Streetscape-Phase VIII-Broadway) and
the City Clerk is hereby authorized to advertise for bids for said project.

ADOPTED
AND
APPROVED: March 23, 2009

Thomas P. Hanafan, Mayor

ATTEST: _____
 Judith Ridgeley, City Clerk

FY10-11A
BROADWAY STREETSCAPE PH II
N. 2ND ST. TO N. 1ST ST.

The map shows a street grid with various streets labeled. A shaded rectangular area indicates the project location, which is bounded by N 1st St to the north, W Pierce St to the south, and extends from approximately Bluff St to Park Ave. A label "PROJECT LOCATION" points to this shaded area. Other visible streets include N 2nd St, N 3rd St, N 4th St, N 5th St, N 6th St, N 7th St, N 8th St, N 9th St, N 10th St, N 11th St, N 12th St, N 13th St, N 14th St, N 15th St, N 16th St, N 17th St, N 18th St, N 19th St, N 20th St, N 21st St, N 22nd St, N 23rd St, N 24th St, N 25th St, N 26th St, N 27th St, N 28th St, N 29th St, N 30th St, N 31st St, N 32nd St, N 33rd St, N 34th St, N 35th St, N 36th St, N 37th St, N 38th St, N 39th St, N 40th St, N 41st St, N 42nd St, N 43rd St, N 44th St, N 45th St, N 46th St, N 47th St, N 48th St, N 49th St, N 50th St, N 51st St, N 52nd St, N 53rd St, N 54th St, N 55th St, N 56th St, N 57th St, N 58th St, N 59th St, N 60th St, N 61st St, N 62nd St, N 63rd St, N 64th St, N 65th St, N 66th St, N 67th St, N 68th St, N 69th St, N 70th St, N 71st St, N 72nd St, N 73rd St, N 74th St, N 75th St, N 76th St, N 77th St, N 78th St, N 79th St, N 80th St, N 81st St, N 82nd St, N 83rd St, N 84th St, N 85th St, N 86th St, N 87th St, N 88th St, N 89th St, N 90th St, N 91st St, N 92nd St, N 93rd St, N 94th St, N 95th St, N 96th St, N 97th St, N 98th St, N 99th St, N 100th St.

COUNCIL COMMUNICATION

Department: Public Works

Ordinance No. _____

First Reading March 23, 2009

Case/Project No.: FY10-05A

Resolution No. 09-76

Applicant: Ron Neal, P. E., City Engineer

SUBJECT/TITLE

After the Public Hearing council consideration of a resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids setting April 21, 2009, at 10:00 a.m. as the date and time for the bid opening for So. 13th Street Improvements – Phase IV. Project #FY10-05A.

BACKGROUND/DISCUSSION

- 13th Street sanitary sewer is a major collector sewer in the system.
- The sewer directs flow to the 29th Avenue Pump Station. The pump station was replaced in 2005 – 2006. The outfall sewer from 29th Avenue Pump Station to I-80 Pump Station was replaced between 1999 and 2003.
- The 13th Street sewer starts out as a 66" inch pipe at 28th Avenue and incrementally reduces in size to Broadway where it is a 30" inch pipe. The sewer is of brick or concrete construction and is at least 50 years old.
- The sewer is in need of replacement and is programmed to be phased over several years.
- The pipe and streets will be evaluated to determine the most effective rehab method. These methods will include pipe lining (with limited street patching) or open trench excavation with street replacement.
- Phase I project was completed in 2006 and constructed a siphon under Indian Creek from 13th Street sanitary sewer to 15th Street sanitary sewer.
- Phase II was completed in 2007 and included a new sanitary sewer, pavement, and storm sewer, from 28th Avenue to approximately 25th Avenue. It included a new pipe under Indian Creek.
- Phase III was completed in 2008 and included a new sanitary sewer, pavement and storm sewer from 25th Avenue to 22nd Avenue.
- This is project FY10-05A, Phase IV in the CIP and has a budget of \$1,000,000 in sales tax funds and will involve construction of a new sanitary sewer, pavement, and storm sewer from 22nd Avenue to North of 19th Avenue.
- This project schedule is: Set Public Hearing, March 9, 2009; Hold Public Hearing, March 23, 2009; Project Letting, April 21, 2009; Construction Award, May 11, 2009; Construction, June, 2009; and Completion, November, 2009.

RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director

RESOLUTION
NO. 09-76

**RESOLUTION APPROVING THE PLANS, SPECIFICATION,
FORM OF CONTRACT AND COST ESTIMATE FOR THE
SO. 13TH STREET IMPROVEMENTS-PHASE IV
FY10-05A**

WHEREAS, the plans, specification, form of contract and cost estimate
 are on file in the office of the City Clerk of the City of
 Council Bluffs, Iowa for the So. 13th Street Improvements-
 Phase IV; and

WHEREAS, A Notice of Public Hearing was published as required
 by law, and a public hearing was held on March 23, 2009.

NOW, THEREFORE, BE IT RESOLVED
 BY THE CITY COUNCIL
 OF THE
 CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract and cost estimate are hereby approved for the
So. 13th Street Improvements-Phase IV and the City Clerk is hereby authorized to advertise for
bids for said project.

ADOPTED
AND
APPROVED: March 23, 2009

Thomas P. Hanafan, Mayor

ATTEST: _____
 Judith Ridgeley, City Clerk

Council Communication

Department: <u>Public Works</u>	Ordinance No. Resolution No. <u>09-77</u>	Date: March 23, 2009
Case/Project No.		
Applicant .		
Subject/Title		
After the public hearing, action is needed on a resolution authorizing the application for the FY2010 State Transit Assistance.		
Background/Discussion		
<ul style="list-style-type: none">▪ Every year the City of Council Bluffs is required to submit an application for State Transit Assistance for transit operations and Section 5310 funds for contracted paratransit service with the Iowa Department of Transportation's Joint Participation Agreement to provide State Transit Assistance to Iowa's public transit systems.▪ We are required to submit to the IDOT office of Public Transit a notice of public hearing, the attached authorizing resolution and copy of city council minutes of the meeting where the public hearing is held.▪ The City's Federal Transit Assistance is allocated directly to Metro Area Transit and then disbursed to the City.▪ The State Transit Assistance formula is based on ridership, revenue miles, operating expense and local match. Currently our STA payments are on track to be at \$159,000 for FY09 which equals 18% of the total transit operating budget. The Section 5310 funds are from federal funds for transit serving primarily elderly persons and persons with disabilities. Section 5310 funds for FY09 were \$17,180.00.▪ The Iowa Department of Transportation has indicated that the City will be eligible for an estimated \$164,000 in STA payments and \$18,247 in Section 5310 funds for FY2010. Application for the assistance has been prepared by city staff and MAPA and must be submitted to IDOT.		
Recommendation		
That the City Council approve the resolution authorizing application for FY2010 State Transit Assistance and Section 5310 Funds.		

Greg Reeder, Public Works Director

The Honorable Thomas P. Hanafan, Mayor

RESOLUTION
NO. 09-77

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT
AN APPLICATION FOR FY2010
STATE TRANSIT ASSISTANCE

- WHEREAS, the City of Council Bluffs will be eligible for an estimated \$164,000 in State Transit Assistance and \$18, 247 in Section 5310 fund for use in operating its transit system during FY02010; and
- WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an application for State Transit Assistance to the IDOT; and
- WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on March 23,2009;

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized and directed to apply for State Transit Assistance and to enter into any necessary related contracts with the IDOT.

ADOPTED
AND
APPROVED March 23, 2009

Thomas P Hanafan, Mayor

ATTEST:

Judith Ridgeley, City Clerk



Iowa Department of Transportation

Authorizing Resolution

We, hereby, authorize, Thomas P. Hanafan, Mayor
(Name of Authorized Signatory)

on behalf of City of Council Bluffs
(Legal Name of Applicant)

to apply for financial assistance as noted below and to enter into related contract(s) with the Iowa Department of Transportation.

From the State Transit Assistance Program:

1.499797 % of formula funds;
\$ amount of Special Project Funds requested

From federal funds for transit in non-urbanized areas and/or for transit serving primarily elderly persons and person with disabilities:

\$ 18,247 ;

From state-wide federal capital assistance for transit:

\$.

From federal funds from the Job Access/Reverse Commute program:

\$.

From federal funds from the New Freedom program:

\$.

We understand acceptance of federal transit assistance involves an agreement to comply with certain labor protection provisions.

We certify that City of Council Bluffs has sufficient non-federal
(Legal Name of Applicant)

funds to provide required local match for capital projects and at time of delivery will have the funds to operate and maintain vehicles and equipment purchased under this project.

We request that State Transit Assistance formula funding be advanced as allowed by law, to improve transit system cash flow.

Adopted the 23rd day of March, 2009.

By: City of Council Bluffs City Council
(Applicant's Governing Body)

Name: _____

Title: Mayor

Address: 209 Pearl Street, Council Bluffs, IA 51503

Telephone: 712-328-4601

City of Council Bluffs
Cost Center Budgets

Transit

Activities Operation of fixed route bus service (MAT)
 Operation of paratransit service (STS)
 Maintenance and fuel for STS vehicles
 Printing of tickets for STS
 Purchase of new vehicles for STS (city share is 17%)

Personnel by Position

<u>FTE's</u>	<u>Position</u>
0	No Staff
0	Total

<u>Expenditures</u>	<u>FYE 2010</u>	<u>FYE 2009</u>	<u>Change</u>	<u>%</u>
Supplies & Services				
Miscellaneous Contract	900,000	722,559	177,441	24.6%
Pay to Other Agencies	145,000	148,194	(3,194)	-2.2%
Vehicle & Equip Repair	30,000	23,000	7,000	30.4%
Veh Oper/Maint Supplies	39,000	33,000	6,000	18.2%
Other Supplies & Services	900	1,500	(600)	-40.0%
Total Supplies & Services	<u>1,114,900</u>	<u>928,253</u>	<u>186,647</u>	<u>20.1%</u>
Total Capital	<u>15,000</u>	<u>15,000</u>	<u>-</u>	<u>0.0%</u>
Total Expenditures	<u><u>1,129,900</u></u>	<u><u>943,253</u></u>	<u><u>186,647</u></u>	<u><u>19.8%</u></u>
Revenues				
Transit Tax Levy	650,202	612,264	37,938	6.2%
State Transit Assistance	150,000	149,000	1,000	0.7%
Federal Transit Assistance	160,000	89,000	71,000	79.8%
STS Ticket Fares	14,000	14,000	-	0.0%
Total Revenues	<u><u>974,202</u></u>	<u><u>864,264</u></u>	<u><u>109,938</u></u>	<u><u>12.7%</u></u>
Funding Requirement from Other Revenue	155,698	78,989	76,709	97.1%

42

COUNCIL COMMUNICATION

Department: Public Works

Ordinance No. _____

Date: March 23, 2009

Case/Project No.: FY10-05B

Resolution No. 09-78

Applicant: Ron Neal, P. E., City Engineer

SUBJECT/TITLE

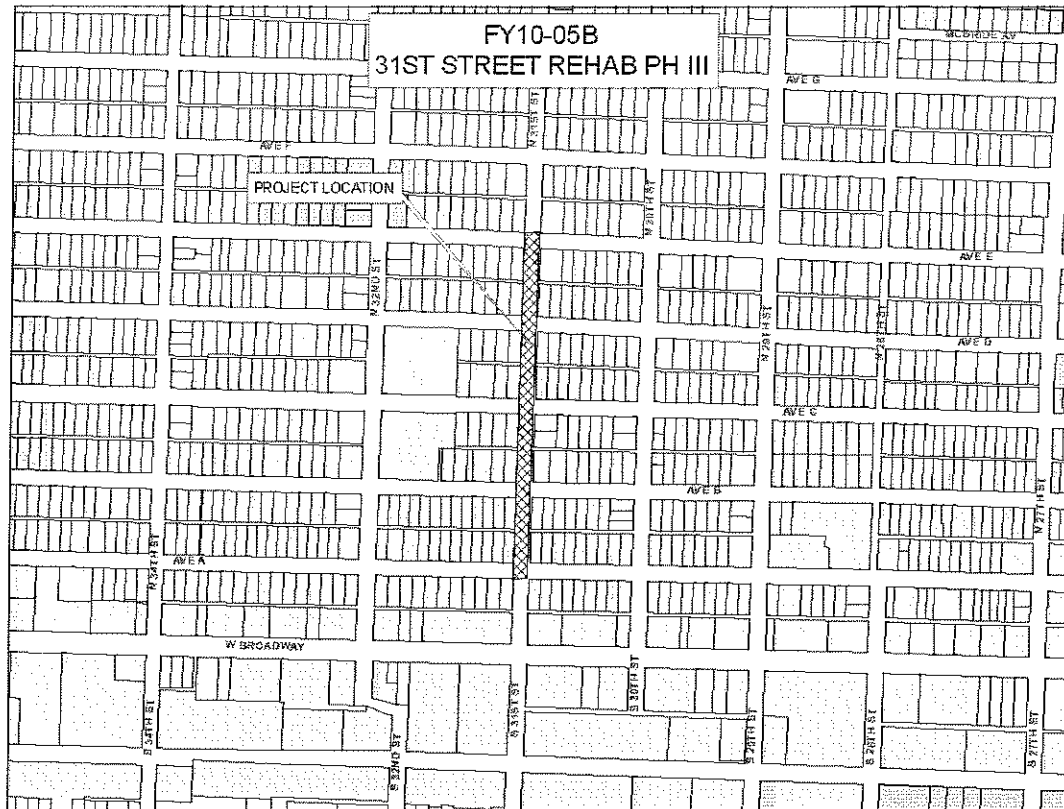
After the Public Hearing council consideration of a resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids setting April 23, 2009, at 10:00 a.m. as the date and time for the bid opening for 31st Street Improvements-Phase III Avenue A to Avenue E. Project # FY10-05B.

BACKGROUND/DISCUSSION

- The 31st Street sanitary sewer was built in the early 1950's. The sewer is a collector sewer receiving flow from the area between 37th Street and 29th Street north of Broadway. The sewer discharges to the 6th Avenue pump station at 31st Street.
- The sewer is in poor condition and needs to be replaced.
- The 31st Street sewer has been replaced in previous projects from 6th Avenue to 2nd Avenue.
- Phase II completed in 2008, replaced the 31st Street sewer from 2nd Avenue to Avenue A.
- This project will continue the rehab of the pavement, sanitary and storm sewer between Avenue A to Avenue E.
- This is project FY10-05B in the CIP and is funded with \$1,000,000 in Sales Tax funds.
- The project schedule is: Set Public Hearing, March 9, 2009; Hold Public Hearing, March 23, 2009; Project Letting, April 23, 2009; Construction Award, May 11, 2009; Construction Start, June, 2009; Construction Completion, November, 2009.

RECOMMENDATION

Approval of this resolution.



RESOLUTION
NO. 09-78

**RESOLUTION APPROVING THE PLANS, SPECIFICATION,
FORM OF CONTRACT AND COST ESTIMATE FOR THE
31ST STREET IMPROVEMENTS – PHASE III AVENUE A TO AVENUE E
FY10-05B**

WHEREAS, the plans, specification, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the 31st Street Improvements-Phase III Avenue A to Avenue E; and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on March 23, 2009.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract and cost estimate are hereby approved for the 31st Street Improvements – Phase III Avenue A to Avenue E and the City Clerk is hereby authorized to advertise for bids for said project.

ADOPTED
AND
APPROVED March 23, 2009

Thomas P. Hanafan, Mayor

ATTEST: _____
Judith Ridgeley, City Clerk

COUNCIL COMMUNICATION

Department: Public Works Ordinance No. _____ Date: March 23, 2009
Case/Project No.: FY10-05D Resolution No. 09-79
Applicant: Ron Neal, P. E., City Engineer

SUBJECT/TITLE

After the Public Hearing council consideration of a resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids setting April 14, 2009, at 10:00 a.m. as the date and time for the bid opening for So. 32nd Street Sanitary Sewer Improvements. Project # FY10-05D.

BACKGROUND/DISCUSSION

- So. 32nd Street sanitary sewer is a major 30" trunk line that serves the Northwest area of the city.
- The So. 32nd Street sanitary sewer was constructed in 1961 and is in very poor condition.
- New sanitary sewer has been constructed south of Nebraska Avenue to 23rd Avenue.
- New sewer was constructed from Nebraska Avenue to 14th Avenue in 2008.
- This project will construct new sanitary sewer from 14th Avenue north to 12th Avenue.
- The project is FY10-05D in the CIP and has a budget of \$1,000,000 funded from sales tax revenue.
- The project schedule is:

Set Public Hearing	March 9, 2009
Hold Public Hearing	March 23, 2009
Project Letting	April 14, 2009
Project Award	April 27, 2009
Construction Start	May, 2009
Construction Completion	November, 2009

RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director

4 E



RESOLUTION

NO. 09-79

**RESOLUTION APPROVING THE PLANS, SPECIFICATION,
FORM OF CONTRACT AND COST ESTIMATE FOR THE
SO. 32ND STREET SANITARY SEWER IMPROVEMENTS
FY10-05D**

WHEREAS, the plans, specification, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the So. 32nd Street Sanitary Sewer Improvements; and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on March 23 2009.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the plans, specifications, form of contract and cost estimate are hereby approved for the So. 32nd Street Sanitary Sewer Improvements and the City Clerk is hereby authorized to advertise for bids for said project.

ADOPTED

AND

APPROVED: March 23 2009

Thomas P. Hanafan, Mayor

ATTEST:

Judith Ridgeley, City Clerk

Council Communication
March 23, 2009 City Council Meeting

Department: Community Development	Ordinance No.: N/A	
Case/Project No.: N/A	Resolution No: <u>09-80</u>	Date: <u>March 23, 2009</u>
Subject/Title		
2009 Iowa Finance Authority (IFA) State Housing Trust Fund (SHTF) Application		
Location		
South 19 th Street (from 23 rd Avenue to 25 th Avenue)		
Background/Discussion		
<p><u>Background</u></p> <p>The Iowa Finance Authority (IFA) receives and administers the State Housing Trust Fund (SHTF) from state appropriations. The money in the SHTF is to be used for the development and preservation of affordable housing for low income people in the state. The City of Council Bluffs is an eligible applicant to receive the housing trust fund money per the IFA SHTF 2009 Project Based Program Allocation Plan. The total available money under the plan for 2009 is \$1,685,891. The maximum award amount is \$50,000.</p> <p><u>Discussion</u></p> <p>The City has been working on developing and redeveloping the area south of 23rd Avenue and west of Indian Creek for several years. This has involved the installation of infrastructure to support several residential infill subdivisions. To date, approximately 150 lots have been created and as many homes constructed. Currently, the City is working with Municipal Homes, Inc. and Community Housing Investment Corporation (CHIC) to develop the property at South 19th Street and 23rd Avenue into affordable single family, townhomes, and multi-family housing for low to moderate income individuals and families. The Community Development Department would like to apply for the SHTF money to assist with the South 19th Street reconstruction project from 23rd Avenue to 25th Avenue. This would include street paving, sanitary sewer, storm sewer, water and engineering/inspection.</p> <p>Additionally, IDOT has requested the city initiate projects which could be funded by a federal economic stimulus package. This is one of the projects the City has identified and wants ready for when the federal stimulus funds are available. An agreement between the City and HGM Associates, Inc. for the engineering services in connection with the South 19th Street reconstruction project has already been executed.</p>		
Staff Recommendation		
The Community Development Department recommends City Council adopt a resolution authorizing the Mayor to submit an application to the Iowa Finance Authority for State Housing Trust Fund Project Based Program funds for the South 19 th Street reconstruction project in connection with the proposed affordable housing development project at South 19 th Street and 23 rd Avenue.		

Submitted by: Tina Hochwender, Program Coordinator, Community Development Department
Approved by: Donald D. Gross, Director, Community Development Department

5 A

RESOLUTION NO. 09-80

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE IOWA FINANCE AUTHORITY FOR STATE HOUSING TRUST FUND PROJECT BASED PROGRAM FUNDS FOR THE SOUTH 19TH STREET (23RD AVENUE TO 25TH AVENUE) RECONSTRUCTION PROJECT.

- WHEREAS,** The Iowa Finance Authority (IFA) receives and administers the State Housing Trust Fund (SHTF) from state appropriations; and
- WHEREAS,** The State Housing Trust Fund (SHTF) Project Based program funds are to be used for the development and preservation of affordable housing for low income people in the state; and
- WHEREAS,** The City is working with Municipal Homes, Inc. and Community Housing Investment Corporation (CHIC) to develop the property at South 19th Street and 23rd Avenue into affordable single family, townhomes, and multi-family housing for low to moderate income individuals and families; and
- WHEREAS,** The South 19th Street reconstruction project from 23rd Avenue to 25th Avenue would include street paving, sanitary sewer, storm sewer, water and engineering/inspection; and
- WHEREAS,** An application for said funds is in the best interest of the City; and

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the Mayor is hereby authorized to submit an application to the Iowa Finance Authority for State Housing Trust Fund Project Based Program funds for the South 19th Street reconstruction project in connection with the proposed affordable housing development project at South 19th Street and 23rd Avenue.

ADOPTED

AND

APPROVED: March 23, 2009

Thomas P. Hanafan

Mayor

ATTEST:

Judith H. Ridgeley

City Clerk

5 A

Council Communication

Department: Community Development	Ordinance No.: N/A Resolution No.: <u>09-81</u>	Date: <u>March 23, 2009</u>
Case/Project No.: N/A		
Subject/Title		
Community Disaster Grant Program Application		
Location		
TBD		
Background/Discussion		
<u>Background</u> On February 2, 2009, Governor Culver signed into law House File 64 which established the Community Disaster Grant Program. This law appropriated funds to cities and counties within the geographical area covered by Presidential Disaster Declaration DR-1763-IA. Council Bluffs is covered under this Presidential Disaster Declaration and is eligible to receive \$26,475.94 in funding under the Program.		
<u>Discussion</u> Funding may be used for disaster related costs that have not received funding from other federal or non-federal sources. Projects could include a variety of physical rehabilitation activities resulting from storm damage or mitigation activities to lessen the impact of future storms. Between this writing and the City Council meeting, staff will propose a project consistent with the Program.		
Staff Recommendation		
The Community Development Department recommends City Council adopt a resolution authorizing the Mayor to submit an application to the Iowa Department of Homeland Security and Emergency Management for Community Disaster Grant Program funding in the amount of \$26,475.94.		
Prepared By: Donald Gross, Director		

RESOLUTION NO. 09-81

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE IOWA DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT FOR COMMUNITY DISASTER GRANT PROGRAM FUNDING IN THE AMOUNT OF \$26,475.94.

- WHEREAS,** On February 2, 2009, Governor Culver signed into law House File 64 which established the Community Disaster Grant Program; and
- WHEREAS,** the law appropriates funds to cities and counties within the geographical area covered by Presidential Disaster Declaration DR-1763-IA; and
- WHEREAS,** Council Bluffs is located within this said area and is eligible to receive \$26,475.94 in funding under the Program; and
- WHEREAS,** said funding may be used for disaster related costs that have not received funding from other federal or non-federal sources; and
- WHEREAS,** this City Council has determined that an application for said funds is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the Mayor is hereby authorized to submit an application to the Iowa Department of Homeland Security and Emergency Management for Community Disaster Grant Program funding in the amount of \$26,475.94.

ADOPTED

AND

APPROVED: March 23, 2009

Thomas P. Hanafan

Mayor

ATTEST:

Judith H. Ridgeley

City Clerk

5B

February 20, 2009

Gas-Mart USA, Inc.
10777 Barkley Street, Suite 200
Overland Park, KS 66211

RE: Eddy's 1839
1839 Madison Avenue
Council Bluffs, IA 51503

The City of Council Bluffs has scheduled a hearing before the City Council at 3:45 p.m. on the 23rd day of March, 2009, in the City Council Chambers, 2nd Floor, City Hall, 209 Pearl Street, Council Bluffs, Iowa. The hearing complaint, which has been filed against you, is attached.

If you, or your representative, fail to appear at this hearing, a decision may be rendered against you. You have the opportunity to be heard at this hearing and to be represented by an attorney at your own expense regarding the **mandatory** \$300.00 civil penalty prescribed by Iowa Code Section 453A.22(2)(a) for the violation of Iowa Code Section 453A.2(1), selling, giving, or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under eighteen years of age.

If you wish to settle this case in lieu of the public hearing, you may complete the attached Acknowledgment/Settlement Agreement, returning the original copy, properly signed and dated, to the office of the City Attorney, 209 Pearl Street, Council Bluffs, IA 51503, no later than ten (10) business days prior to the hearing date. With this Acknowledgment/Settlement Agreement, you must include a check in the amount of \$300.00, made out to the City of Council Bluffs, Iowa. This will satisfy the penalty for a first violation under Iowa Code Section 453A.22(2), and will conclude the matter.

If you have any questions, you may reach me by phone at (712) 328-4620, or if you have obtained representation by an attorney in this matter, he/she should contact me.

Sincerely,

Don Bauermeister
Asst. City Attorney

cc: City Clerk

50

IN RE:

Gas-Mart USA, Inc.
10777 Barkley Street, Suite 200
Overland Park, KS 66211

Eddy's 1839
1839 Madison Avenue
Council Bluffs, IA 51503

HEARING COMPLAINT

The City of Council Bluffs, Iowa, hereby makes the following complaint against the above-named permittee:

1. Iowa Code Section 453A.2(1) provides that a person shall not "sell, give, or otherwise supply any tobacco, tobacco products, or cigarettes to any person under eighteen years of age."
2. Iowa Code Section 453A.22(2)(a) provides that if a permit holder or employee of a permit holder has violated Iowa Code Section 453A.2(1), the permit holder shall be assessed a civil penalty of three hundred dollars (\$300.00) for a first violation of Iowa Code Section 453A.2(1).
3. On or about December 9, 2008, the permittee or an employee of the permittee sold cigarettes or tobacco products to a person under eighteen years of age. A copy of the criminal citation is attached and incorporated herein.
4. Therefore, in accordance with Iowa law, the City of Council Bluffs requests the Council Bluffs City Council find a violation of the above-referenced sections of Iowa Code Chapter 453A and assess a civil penalty in the amount of three hundred dollars (\$300.00) against Gas-mart USA, Inc., d/b/a Eddy's 1839, 1839 Madison Avenue, Council Bluffs, IA 51503.

Don Bauermeister, Asst. City Attorney
209 Pearl Street
Council Bluffs, IA 51503
(712) 328-4620

IN RE:

Gas-Mart USA, Inc.
d/b/a Eddy's 1839
1839 Madison Avenue
Council Bluffs, IA 51503

**ACKNOWLEDGEMENT/SETTLEMENT
AGREEMENT**

I/We hereby knowingly and voluntarily acknowledge that we have received the Notice of Hearing and the Complaint in the above case. I/We hereby knowingly and voluntarily acknowledge the facts and allegations contained in the complaint, attached hereto and incorporated herein by reference, and knowingly and voluntarily admit that the same are true and correct. I/We hereby knowingly and voluntarily waive hearing, and submit to the statutory penalties prescribed by Iowa law. I/We understand that this penalty will count as an official "First Violation" of Iowa Code Section 453A.2 pursuant to Iowa Code Section 453A.22. I/We have enclosed a check in the amount of \$300.00, made payable to the City of Council Bluffs, Iowa, to settle the above-referenced complaint. The above-captioned permit holder hereby waives all jurisdictional claims.

DATED this _____ day of _____, 20__.

NOTE: This must be signed by an individual cigarette permittee or, in the case of another business entity, by individual(s) who have authority to bind the entity.

If you decide to sign this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document (properly signed and dated), along with your \$300.00 check made payable to the City of Council Bluffs, Iowa, should be returned to:

City Attorney's Office
209 Pearl Street
Council Bluffs, IA 51503

5 C

RESOLUTION NO. 09-82

A RESOLUTION authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Gas-Mart USA, Inc., d/b/a Eddy's 1839, 1839 Madison Avenue, Council Bluffs, Iowa, for a violation of Iowa Code Section 453A.2(1).

WHEREAS, the State of Iowa has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs resulted in a citation being issued to an employee of Eddy's 1839 on or about December 9, 2008; and

WHEREAS, the mandatory civil penalty has been paid, and it is in the best interest of the City to execute an Order accepting the Acknowledgement/Settlement Agreement from the above business for this violation.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgement/Settlement Agreement from Gas-Mart USA, Inc., d/b/a Eddy's 1839, 1839 Madison Avenue, Council Bluffs, Iowa, for a violation of Iowa Code Section 453A.2.

ADOPTED

AND

APPROVED March 23, 2009

THOMAS P. HANAFAN

Mayor

Attest:

JUDITH RIDGELEY

City Clerk

BEFORE THE CITY COUNCIL
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Gas-Mart USA, Inc.
d/b/a Eddy's 1839
1839 Madison Avenue
Council Bluffs, IA 51503

**ORDER ACCEPTING
ACKNOWLEDGEMENT/SETTLEMENT
AGREEMENT**

ON this 23rd day of March, 2009, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgement/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

THEREFORE, the City Council for the City of Council Bluffs, Iowa, FINDS that the above-captioned permittee has remitted to the City of Council Bluffs, Iowa, a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

THOMAS P. HANAFAN Mayor

Attest:

JUDITH RIDGELEY City Clerk

5 C

Council Communication

Department: City Clerk	Ordinance No. _____	
Case/Project No. n/a	Resolution No. <u>09-83</u>	Date: <u>March 23, 2009</u>
Applicant.		
Subject/Title		
Resolution authorizing the purchase of hardware, software, licenses and other materials in conjunction with an implementation of a timekeeping system utilizing KRONOS software from immix Technology.		
Background/Discussion		
<p>After the City conducted a review of operations, it was determined that timekeeping and payroll information would be better controlled, more efficiently gathered and more accurately processed with an improved system, including timekeeping.</p> <p>Iowa West Foundation has agreed to reimburse the City for the cost of this timekeeping and payroll system. After reviewing systems and proposals from vendors, immix Technology was determined to be the best for the needs of the City. Attached are two sales quotations from immix Technology for your review.</p>		
Recommendation		
It is recommended that City Council approve the Resolution authorizing the purchase of hardware, software, licenses and other materials to implement a timekeeping system and payroll system from immix Technology.		

Finance Department
Department Head

Mayor Signature

5 D

RESOLUTION
NO. 09-83

RESOLUTION AUTHORIZING THE PURCHASE OF HARDWARE, SOFTWARE, LICENSES
AND OTHER MATERIALS IN CONJUNCTION WITH AN IMPLEMENTATION OF A
TIMEKEEPING SYSTEM UTILIZING KRONOS SOFTWARE FROM IMMIX TECHNOLOGY

WHEREAS, the City of Council Bluffs conducted a review of its operations and determined that timekeeping and payroll information would be better controlled, more efficiently gathered and accurately processed with improved systems, including timekeeping units; and

WHEREAS, the City of Council Bluffs had been advised that costs of this acquisition would be reimbursed by Iowa West Foundation; and

WHEREAS, the City of Council Bluffs staff has reviewed systems and proposals and determined that immix Technology be engaged to implement this installation.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City of Council Bluffs approve the purchase of hardware, software, licenses and other materials in conjunction with an implementation of a timekeeping system utilizing KRONOS software from immix Technology in an amount approximating \$116,732.

ADOPTED
AND
APPROVED March 23, 2009

Thomas P Hanafan, Mayor

ATTEST:

Judith Ridgeley, City Clerk

**CITY OF COUNCIL BLUFFS
INTER-OFFICE MEMO**

DATE: March 13, 2009
TO: Honorable Thomas P. Hanafan, Mayor
FROM: Linda Andersen, Assistant Finance Director
RE: February 28, 2009 List of Bills

The listing of disbursements to Vendors, net payroll and expenditure transfers shows the following information for the month of February 28, 2009:

Disbursements to Vendor	\$ 5,886,274.19
Net Payroll	1,332,747.13
Expenditure Transfers	1,532,414.44
Void Checks –Prior Period	<u>(2,569.50)</u>
	\$ 8,748,866.26

The payroll figure above is net payroll. The payroll deduction checks are included on the list and in the vendor disbursements total.

All detail relative to the above is on file in the Finance Office.

This is routine information to be received and filed by the City Council.

CITY OF COUNCIL BLUFFS

PAYMENTS TO VENDORS - FEBRUARY 2009

VENDOR:

AMOUNT:

A PLUS PRINTING	PRINT/BIND	1,011.08
ABC FALCON TRUCKING	CONTRACT	450.00
ABD PUBLICATIONS	BOOK/PRDCL	99.84
ABLE LOCKSMITHS	CONTRACT	1,429.00
ABSTRACT GUARANTY CO	PRF SRVS	200.00
ACCUTECH POWDER	REPAIRS	140.00
ACEOPS	DUES/MBRSH	94.00
ACTION TRAINING	TRAINING	1,650.00
ADPI MEDIBANC	CONTRACT	5,447.35
AFSCME IOWA COUNCIL	EMPE CNTRB	2,432.00
AIR CLEANING TECH	EQUIP/PARTS	52.35
AIRGAS NORTH CENTRAL	GAS	149.20
ALEAGENT HEALTH	MEDICAL	3,722.97
ALFIE PACKERS INC	CONTRACT	106.00
ALLIED OIL & SUPPLY	SUPPLIES	145.60
ALLOY SPECIALTY	CONSULTANT	870.00
ALLTEL COMMUNICATION	CELL PHONE	1,179.57
AMERICAN AMBULANCE	CONTRACT	12,164.77
AMERICAN EXPRESS	SUPPLIES	10.00
AMERICAN MESSAGING	TELEPHONE	12.15
AMERICAN WATER WORKS	TRAINING	18.00
AMES PATRICIA	REFUND	50.00
ANAYA JOSUE	PRF SRVS	80.00
APPLIED INDUSTRIAL	EQUIP/PARTS	3,318.70
APWA IOWA CHAPTER	TRAINING	900.00
AQUA-CHEM INC	SUPPLIES	322.70
ARROW TOWING	CONTRACT	6,012.50
ASCO SERVICES INC	EQUIP/PARTS	2,750.00
AUTO OWNERS INS	INSURANCE	739.82
AUTO VALUE-CO BLUFFS	SUPPLIES	119.74
AVAYA FINANCIAL SERV	TELEPHONE	3,107.30
AVAYA INC	TELEPHONE	1,170.48
AVESIS INC	INSURANCE	88.74
BACKSTAGE LIBRARY WK	SUBSCRPTN	250.00
BAKER & TAYLOR	SUPPLIES	7,792.58
BANKERS TRUST CO	BANK SERVS	1,864,669.44
BARKER LEMAR & ASSOC	PRF SRVS	9,900.00
BARONE SECURITY	CONTRACT	1,145.00
BARTA MATT	REFUND	50.00
BBC AUDIOBOOKS AMER	SUPPLIES	183.56
BEBO KATE	REFUND	12.00
BENNINGTON EQUIP	SUPPLIES	661.89
BIBLIOGRAPHICAL CNTR	SUBSCRPTN	1,023.27
BILL'S SEWER & DRAIN	CONTRACT	425.00
BILL'S WATER COND	SUPPLIES	44.00

BLACK HILLS IOWA GAS	GAS	34,633.41
BLACKSTONE AUDIOBOOK	BOOK/PRDCL	8.00
BLUE R D CONSTR	CONSTRUCT	37,921.17
BLUFFS ELECTRIC	REPAIRS	159,587.98
BONHAM TRAVIS	REFUND	50.00
BOONE BROTHERS	REPAIRS	2,268.00
BOREM ANN	REFUND	50.00
BORRELLO COURT REP	PRF SRVS	309.10
BOUND TO STAY BOUND	SUPPLIES	2,475.03
BOUND TREE	MEDICAL	2,794.29
BOWEN CYNTHIA	REFUND	50.00
BREWER JEANETTE	REFUND	50.00
BRICK GENTRY BOWERS	PRF SRVS	195.00
BRILLIANCE AUDIO INC	SUPPLIES	893.11
BROWN TRAFFIC	SUPPLIES	1,431.00
BRYAN BILL	REFUND	20.00
BUCKYS EXPRESS	CONTRACT	879.00
BUDGET AUTO GLASS	EQUIP/PARTS	330.00
BURKE RICHARD	CONSTRUCT	1,850.00
BURNS LAW FIRM	PRF SRVS	4,657.50
BURTON PLUMBING	EQUIP/PARTS	381.50
C & J INDUSTRIAL	CONTRACT	1,100.86
CALKINS CHASE	REFUND	50.00
CAMERON KATHY	REFUND	50.00
CARLSON LISA	REFUND	30.00
CARLSON RANDALL D	TRAVEL	96.25
CARPENTER WILLIAM	TRAVEL	18.70
CB PRF FIRE FIGHTERS	EMPE CNTRB	5,640.00
CBIA LLLP	DVLP CONTR	34,682.00
CENTER POINT LARGE	SUPPLIES	869.28
CENTRAL STATES PETRO	FUEL	66,711.02
CERONE TRISHA	REFUND	50.00
CHIEF SUPPLY CORP	SUPPLIES	1,184.49
CIT TECHNOLOGY	EQUIP/PARTS	507.00
CIVIC SYSTEMS	HRD/SOFTWR	5,902.00
CLASSIC CHEVROLET	EQUIP/PARTS	789.45
CLEAR TITLE & ABSTRA	PRF SRVS	75.00
CLERK OF COURT	COURT COST	820.00
CLERK OF DISTR COURT	EMPE CNTRB	994.95
COAN DIANA	REFUND	137.00
CODDINGTON SHARI	REFUND	50.00
COHRON READY MIX	SUPPLIES	1,855.85
COLLECTION SERVICES	EMPE CNTRB	10,349.36
COMM WORKERS OF AM	EMPE CNTRB	1,092.28
COMMUNITY HOUSING	PRF SRVS	10,000.00
CONRAD KARA	REFUND	50.00

CONTINENTAL ALARM	CONTRACT	1,015.58	FISHER PATTERSON	PRF SRVS	921.60
CONTINENTAL FIRE	CONTRACT	330.00	FOCKEN DALE	REFUND	20.00
COOKE J P COMPANY	SUPPLIES	31.00	FOX ENGINEERING	ENGINEERING	100,693.57
CORNHUSKER TRUCKS	EQUIP/PARTS	1,166.21	FRENCH TANYA	TRAVEL	24.20
CORPORATE EXPRESS	SUPPLIES	1,354.80	FUCHS MACHINERY	EQUIP/PARTS	384.21
COUNCIL BLUFFS CHMBR	CONTRACT	214.00	G & K SERVICES	UNIFORMS	576.40
COUNCIL BLUFFS COLLI	REPAIRS	1,126.00	GALE	SUBSCRPTN	1,548.52
COUNCIL BLUFFS WATER	WATER	4,643.72	GALLAGHER AMY	REFUND	50.00
COUNCIL BLUFFS WINNL	SUPPLIES	4,447.12	GARAGE DOOR SERVICES	CONTRACT	853.00
COX COMMUNICATIONS	INTERNET	3,285.46	GARRISON THERESA	REFUND	50.00
CREDIT CARD CHARGES	SUPPLIES	607.02	GAYLORD BROTHERS INC	SUPPLIES	69.41
CSC CREDIT SERVICES	LEASE	50.22	GE CAPITAL	LEASE	489.31
CSVSSP INC	PRINT/BIND	1,659.29	GENIE PEST CONTROL	CONTRACT	175.00
CULBERTSON MICHELLE	REFUND	50.00	GENUS	PRF SRVS	6,331.63
CUMMINS CENTRAL	EQUIP/PARTS	267.55	GINN HEATHER	REFUND	50.00
D & B RESIDENTIAL CO	CONSTRUCT	1,656.36	GLASS DOCTOR	REPAIRS	409.78
D & D CONSTRUCTION	CONSTRUCT	21,489.00	GODBERSEN-SMITH	CONSTRUCT	138,968.53
DAILY NONPAREIL	ADVERTISMT	3,056.66	GOODWATER LORETTA	TRAVEL	29.15
DANIELSON/TECH SPLY	SUPPLIES	109.29	GOODWIN TUCKER	EQUIP/PARTS	198.72
DEFENSE RESEARCH	DUES/MBRSH	160.00	GRAINGER	EQUIP/PARTS	1,110.67
DELL MARKETING L P	HRD/SOFTWR	8,417.12	GREER LEANN	REFUND	50.00
DEMCO INC	SUPPLIES	1,980.06	HACH COMPANY	EQUIP/PARTS	146.18
DES MOINES STAMP MFG	SUPPLIES	581.52	HALDA CHERI	REFUND	100.00
DEVOL VERONICA	REFUND	50.00	HANUSA COMPANY	SUPPLIES	621.01
DICK DEAN SERVICE	REPAIRS	59.95	HARVEY THOMAS	REFUND	50.00
DL & A WEIGHT EQUIP	REPAIRS	359.00	HAWKEYE TRUCK EQUIP	EQUIP/PARTS	160.59
DODGE PARK PRO SHOP	REFUND	2,660.03	HEARTLAND TIRES	SUPPLIES	1,616.46
DON'S UNIFORM	UNIFORMS	53.90	HERZOG DIANNE	TRAVEL	112.63
DYNA-KLEEN SERVICES	CONTRACT	295.00	HGM ASSOCIATES INC	PRF SRVS	95,532.82
EAGLE ENGRAVING	SUPPLIES	9.80	HI-LINE ELECTRICAL	SUPPLIES	116.70
EAGLE HILLS EXCAVATI	CONTRACT	7,042.00	HIGEL MARCIA	REFUND	50.00
EATON ELECTRICAL SER	CONTRACT	3,920.00	HOLIDAY INN AIRPORT	TRAVEL	154.00
EBSCO SUBSCRIPTION	SUBSCRPTN	2,905.00	HOLT WOODWORKING INC	REPAIRS	640.63
ECHO ELECTRIC	SUPPLIES	2,367.23	HOMETOWN PROD	ADVERTISMT	389.50
ECOSOLUTIONS LLC	SUPPLIES	270.00	HOOD JOHN	REFUND	3.00
EFTPS	EMP TAXES	424,470.75	HORWATH LAUNDRY	REPAIRS	248.69
EHRHART GRIFFIN	PRF SRVS	32,655.00	HOWARD R GREEN CO	CONSULTANT	1,931.25
ELECTRONIC ENG	HRD/SOFTWR	800.00	HUSKER CHEM SALES	SUPPLIES	6,511.97
EMPLOYEE BENEFIT SYS	INSURANCE	497,666.50	ICMA RETIREMENT TR	EMPE CNTRB	7,983.61
ERIKSEN CONSTRUCTION	CONSTRUCT	34,175.63	IMAGISTICS INTL	LEASE	1,190.25
FARM SERVICE COMPANY	FUEL	3,749.76	INDOFF INCORPORATED	SUPPLIES	5,019.27
FASTENAL CORPORATION	SUPPLIES	583.35	INDUSTRIAL SALES	SUPPLIES	75.00
FEDERAL RESERVE BANK	BANK SERVS	500.00	INFOR GLOBAL Solutio	HRD/SOFTWR	1,434.10
FEHL LORI	REFUND	50.00	ING	EMPE CNTRB	4,190.00
FELD EQUIPMENT CO	EQUIP/PARTS	54,123.50	INGERSOLL-RAND	EQUIP/PARTS	19,786.00
FERRELLGAS	PROPANE	1,015.53	INLAND TRUCK PARTS	EQUIP/PARTS	618.48
FIRST NATIONAL BANK	SUPPLIES	22,101.56	INNOVATIVE ACCESS	TRAINING	58.87
			INSIGHT PUBLIC SECTO	HRD/SOFTWR	1,269.32
			INTELLISYS INC	CONTRACT	3,200.00

INTERNAL MEDICINE	MEDICAL	650.00	LIGHTHOUSE UNIFORM	UNIFORMS	1,143.20
INTERNATIONAL PAPER	CONTRACT	216.00	LINN CO HEALTH DEPT	SUPPLIES	200.00
INTERSTATE ALL BATRY	SUPPLIES	48.00	LINWELD	SUPPLIES	1,536.68
IOWA ACADEMY TRIAL L	TRAINING	170.00	LOFTIS HELEN	REFUND	22.00
IOWA CIVIL RIGHTS CO	TRAINING	50.00	LOGAN CONTRACTORS	SUPPLIES	920.68
IOWA DEPT NAT RESRC	CONTRACT	1,275.00	LSNB AS TRUSTEE	EMPE CNTRB	2,475.00
IOWA DEPT OF REV	EMP TAXES	87,198.00	LUEDER CONSTRUCTION	CONSTRUCT	185,301.30
IOWA DEPT OF TRANSP	CONTRACT	3,339.11	LYMAN-RICHEY SAND	SUPPLIES	4,068.14
IOWA DIVISION I A I	DUES/MBRSH	50.00	M & M LAWN SERVICES	CONTRACT	182.00
IOWA MUNICIPAL FINC	DUES/MBRSH	90.00	M & R WELDING	REPAIRS	210.00
IOWA ONE CALL	CONTRACT	375.40	M B WILDER COMPANY	SUPPLIES	98.00
IOWA STATE UNIVERSTY	TRAINING	450.00	MAHONEY ROBIN	REFUND	20.00
IOWA WASTE SYSTEMS	CONTRACT	29,613.30	MAINS LAURA	REFUND	50.00
IOWA WATER POLLUTION	TRAINING	75.00	MAMMENG DEE	REFUND	50.00
IPERS	RETIREMENT	107,010.37	MANAWA RUGS	CONTRACT	89.20
IRON MOUNTAIN	CONTRACT	35.84	MANHART LYNN	TRAVEL	48.00
J & K CONTRACTING	CONSTRUCT	22,647.56	MANJU GEORGE	REFUND	50.00
JACKSON ROBERT	LEGAL CLAI	907.00	MARCINKIEWICZ KATHY	REFUND	20.00
JARCHOW MEGHAN	REFUND	50.00	MARCUS SHOES	UNIFORMS	654.00
JENNIE EDMUNDSON	MEDICAL	166.75	MARTINEK PRISCILLA	REFUND	50.00
JENSEN MARY	REFUND	100.00	MASS KIM	REFUND	50.00
JENSEN TIRE COMPANY	SUPPLIES	119.68	MAX I WALKER UNIFORM	UNIFORMS	1,228.45
JIM HAWK TRUCK TRLR	EQUIP/PARTS	2,816.72	MCCORMICK MINDY	REFUND	20.00
JOHNSTONE SUPPLY	SUPPLIES	337.79	MCCULLOUGH'S TREE	CONTRACT	22,880.00
JUSTRITE JANITORIAL	CONTRACT	7,353.00	MCINTOSH CARRIE	REFUND	50.00
KELLY SANDRA	REFUND	44.00	MCMULLEN FORD	EQUIP/PARTS	28,165.40
KELLY SUPPLY COMPANY	EQUIP/PARTS	529.79	MENARDS	SUPPLIES	94.77
KIERSCHT BRITLEY	REFUND	50.00	METRO SERVICES	CONTRACT	150.00
KIESEL CRAIG	REFUND	50.00	MFPRSI	RETIREMENT	261,878.77
KNUDSON MANAGEMENT	REFUND	5.00	MICHAEL TODD AND CO	EQUIP/PARTS	2,760.28
KOHLER INES	REFUND	50.00	MID AMERICA MAINT	SUPPLIES	120.16
KOKYO TAIKO	CONTRACT	236.79	MID-AMERICA CLEANING	EQUIP/PARTS	140.76
KONICA MINOLTA	LEASE	2,255.66	MIDAMERICAN ENERGY	ELECTRICTY	102,699.91
KRABERG FREDDY	REFUND	20.00	MIDLAND SCIENTIFIC	SUPPLIES	441.59
KUSLER DEBORAH	REFUND	75.00	MIDLANDS ANIMAL	REFUND	50.00
LADD KAHLI	REFUND	20.00	MIDSTATES BANK NA	BANK SERVS	2,224.27
LAKEIDE COUNTRY STR	SUPPLIES	90.00	MIDWEST RADIATOR LLC	REPAIRS	55.00
LANDMARK AUDIOBOOKS	BOOK/PRDCL	20.00	MIDWEST TAPE	SUPPLIES	3,356.22
LARSEN SUPPLY CO	SUPPLIES	2,813.94	MISSOURI RIVER TITLE	PROPERTY	25.00
LAUGHLIN KATHLEEN	EMPE CNTRB	412.00	MOOSMEIER SARA	REFUND	50.00
LAWSON PRODUCTS	SUPPLIES	1,036.89	MUNICIPAL HOUSING	INSURANCE	2,999.88
LEACH CAMPER SALES	EQUIP/PARTS	7.24	MUNICIPAL PIPE TOOL	EQUIP/PARTS	256.31
LEAZENBY CONSTR	CONSTRUCT	117,600.59	MUNIS	HRD/SOFTWR	38,689.00
LEGACY HOME DEVELOP	CONTRACT	1,068.00	NAPA AUTO PARTS	SUPPLIES	3,316.40
LEGISLATIVE SERVICES	SUBSCRPTN	485.00	NATIONWIDE RETIREMNT	EMPE CNTRB	57,789.04
LEXISNEXIS	SUBSCRPTN	482.00	NEAL RONALD	TRAVEL	100.00
LIBERTY BANK	SUPPLIES	1,240.56	NEBRASKA SALT/GRAIN	SUPPLIES	43,587.94
LIFE ASSIST	MEDICAL	100.63			

NEXTEL PARTNERS	CELL PHONE	604.99	ROGERS JANIE	REFUND	15.00
O'KEEFE ELEVATOR	CONTRACT	1,253.44	ROSTERMUNDT KENNETH	CONSTRUCT	13,694.00
O'REILLY AUTO PARTS	SUPPLIES	1,121.22	ROWLAND RUSSELL	REFUND	50.00
OFFICE DEPOT SERVICE	SUPPLIES	1,209.35	RUETERS RED POWER	SUPPLIES	507.32
OMAHA COMPOUND CO	SUPPLIES	5,655.63	RUTLEDGE AND ASSOC	CONTRACT	1,000.00
OMAHA DOOR & WINDOW	REPAIRS	145.35	RYAN THOMAS	TRAVEL	3.30
OMAHA STANDARD TRUCK	EQUIP/PARTS	635.71	SANDAU BROS SIGN CO	CONTRACT	802.60
OMAHA TRACTOR	EQUIP/PARTS	897.37	SCHEMMER ASSOCIATES	CONSULTANT	36,419.72
OMAHA TRUCK CENTER	EQUIP/PARTS	816.60	SCHURMAN RYAN	REFUND	50.00
OMAHA WORLD HERALD	ADVERTISMT	852.92	SCHWARTE ANGIE	REFUND	70.00
ORKIN EXTERMINATING	CONTRACT	582.34	SCOTT VAN KEPPEL LLC	EQUIP/PARTS	5,608.26
ORR CRAIG	REFUND	50.00	SEARLE PETROLEUM	SUPPLIES	269.00
PANGELINA ALDON P	TRAVEL	36.30	SESAC	DUES/MBRSH	873.00
PATTEE KATIE	TRAVEL	626.55	SHOWCASES	SUPPLIES	255.96
PEOPLES NATL BANK	REIMBURSE	107,005.99	SIEMENS BLDG TECH	EQUIP/PARTS	40,407.25
PERFORMANCE GROUP	SUPPLIES	446.00	SIEMENS WATER TECH	SUPPLIES	259.90
PETERSON BARBARA	TRAVEL	137.50	SILVER STAR POLICE	SUPPLIES	219.00
PETTY CAROLYN	REFUND	50.00	SILVERSTONE RISK SRV	INSURANCE	2,564.66
PITNEY BOWES	EQUIP/PARTS	5,959.00	SIMMONS MARY	REFUND	50.00
POLICE BENV ASSOC	EMPE CNTRB	160.00	SIMON MOLLY	REFUND	50.00
POLICE/FIRE PAYTS	RETIREMENT	51,325.94	SLAPE ANDREA	REFUND	50.00
PORTER TAUKE & EBKE	PRF SRVS	37,104.50	SMITH DAVIS & ABEL	INSURANCE	289.00
POS WORLD	SUPPLIES	148.00	SNAP-ON TOOLS CORP	SUPPLIES	211.00
POTTCO AUDITOR	CONTRACT	4,529.67	SNYDER & ASSOCIATES	PRF SRVS	2,781.00
POTTCO RECORDER	FEES	31.00	SOUTHWEST IOWA CLERK	DUES/MBRSH	40.00
POTTCO SHERIFF	CONTRACT	10,200.00	SPARTAN MOTORS INC	EQUIP/PARTS	349.31
POTTCO TREASURER	FEES	134,006.01	STANDARD INSURANCE	INSURANCE	5,618.65
PSC ENVIRONMENTAL	CONTRACT	10,339.50	STATE FARM FIRE/CAS	INSURANCE	738.86
PTL ENTERPRISES	SUPPLIES	476.10	STATE LIBRARY OF IA	SUBSCRPTN	72.00
PURITAN MANUF	SUPPLIES	495.00	STEADHAM SARAH	REFUND	100.00
QWEST	TELEPHONE	11,471.76	STEAMATIC OF OMAHA	CONTRACT	500.00
R J NELSON COMPANY	REPAIRS	2,855.00	STOKES CONSTRUCTION	CONSTRUCT	7,755.41
R&P UPHOLSTERY	REPAIRS	240.00	STOLZ RACHEL	TRAVEL	50.60
RACOM CORPORATION	EQUIP/PARTS	971.80	STRAIN KRISTI	REFUND	50.00
RAMSEY PHILLIP	REFUND	50.00	STRATTON ROBIN	REFUND	70.00
RANDOM HOUSE INC	SUPPLIES	1,018.40	STRYKER MEDICAL	EQUIP/PARTS	103.67
READY MIXED CONCRETE	SUPPLIES	2,400.00	SUNNY COMMUNICATIONS	EQUIP/PARTS	1,403.00
RECORDED BOOKS INC	SUPPLIES	609.50	SWANDA BUSINESS FORM	SUPPLIES	1,360.90
RED RIVER SERVICE	CONTRACT	143,122.64	TAYLOR PLASTICS	REPAIRS	1,552.00
REFRIGERANTS INC	SUPPLIES	172.20	TCIC INC	EQUIP/PARTS	1,219.00
REGENT BOOK CO	SUPPLIES	25.07	TELEDYNE ISCO INC	EQUIP/PARTS	49.00
RENAISSANCE SAVERY H	TRAVEL	218.28	THERMO KING	SUPPLIES	666.62
REVIVAL ANIMAL HLTH	MEDICAL	869.86	THIELE GEOTECH INC	PRF SRVS	3,060.00
RIEF STEPHANIE	REFUND	50.00	THOMPSON TIM	REFUND	50.00
RINKER MATERIALS	SUPPLIES	56.58	TIP STRATEGIES INC	CONSULTANT	31,825.20
RIVERSIDE AUTO WASH	CONTRACT	141.25	TITAN MACHINERY	EQUIP/PARTS	1,363.71
RODEWALD RICHARD D	TRAVEL	359.14	TOTAL BACKFLOW	TRAINING	675.00
			TRANE	REPAIRS	19,500.00

TRANS-IOWA EQUIPMENT	EQUI/PARTS	200.00	WASTE CONNECTIONS	CONTRACT	885.73
TREAS STATE OF IOWA	SALES TAX	1,238.00	WASTE MANAGEMENT	CONTRACT	1,138.23
TSI INC	SUPPLIES	154.46	WATER ENGINEERING	CONTRACT	236.25
TURFWERKS LLC	EQUI/PARTS	1,160.91	WATER SAFETY PRODUCT	SUPPLIES	284.00
TURNER TIMOTHY	CONTRACT	250.00	WESTERN ENGINEERING	CONSTRUCT	2,680.90
TWIN CITY REPORTERS	PRF SRVS	1,362.80	WESTLAKE HARDWARE	SUPPLIES	57.98
ULVERSCROFT LARGE PR	SUPPLIES	71.96	WHANNELL JEFFREY P	TRAVEL	100.00
UNITED CREDIT UNION	EMPE CNTRB	49,527.00	WILLIAMS CHRISTOPHER	REIMBURSE	8.00
UNITED PARCEL SERV	FRT/POSTGE	26.21	WILSON TRUCKING	CONTRACT	420.00
UNITED RENTALS	RENTAL EXP	853.92	WINNEBAGO TRANSPORT	INTERNET	90.90
UNITED WAY MIDLANDS	EMPE CNTRB	379.00	WOELLHOF DAN	TRAVEL	83.60
UPS STORE, THE	FRT/POSTGE	156.30	WORKERS COMP PAYTS	REIMBURSE	15,083.47
UPTOWN STAFFING	CONTRACT	14,334.04	WRIGHT BEVERLY	REFUND	50.00
USABUEBOOK	SUPPLIES	348.45	WSG & SOLUTIONS INC	SUPPLIES	3,189.00
UTILITIES SERVICE GR	CONSTRUCT	7,858.08	WT COX SUBSCRIPTIONS	SUBSCRPTN	25.76
VANCE AMY	REFUND	100.00	ZEP MANUFACTURING	SUPPLIES	344.67
VANDERPOOL MARILYN	REFUND	50.00	DISBURSEMENTS TO VENDORS		5,886,274.19
VEGA-GONZALES JESUS	CLAIMS-LAW	6,200.00	NET PAYROLL		1,332,747.13
VERA TIFFANY	REFUND	50.00	TRANSFERS		1,532,414.44
VERIZON WIRELESS	CELL PHONE	500.77	VOID CKS-PRIOR PERIOD		(2,569.50)
VOICE & DATA SYSTEMS	TELEPHONE	210.00	TOTAL		8,748,866.26
WADE RICHARD	TRAVEL	166.80			
WALKER AMY	REFUND	50.00			

**CITY OF COUNCIL BLUFFS
INTER-OFFICE MEMO**

DATE: March 13, 2009
TO: Honorable Thomas P. Hanafan, Mayor
FROM: Linda Andersen, Assistant Director of Finance
RE: Cash Balance Statement – February 28, 2009

Pursuant to the Code of Iowa, a monthly receipts and disbursements report shall be filed with the City Council. This report, which includes all City funds, shows the following activity from July 1, 2008 through February 28, 2009:

July 1, 2008 Beginning Cash Balance	\$ 44,268,364.34
Receipts to date	77,058,801.06
Expenditures to date	<u>(80,938,875.04)</u>
<u>February 28, 2009</u> Ending Cash Balance	\$ 40,388,290.36

All detail relative to the above figures is available in the Finance Office. City Council action should be to receive and file this report.

Please note that the report presents the prior fiscal year's balance for comparison purposes.

CITY OF COUNCIL BLUFFS
FUND BALANCES
WITH COMPARISON TO PRIOR YEAR
February 28, 2009

	FUND BALANCE JULY 1, 2008	YEAR-TO-DATE REVENUES	YEAR-TO DATE EXPENDITURES	FUND BALANCE TO DATE	FUND BALANCE February 29, 2008
<u>GENERAL FUND (A)</u>					
001 GENERAL FUND	4,066,267.91	22,716,565.55	25,732,188.68	1,050,644.78	1,216,173.86
002 GENERAL-GAMING	2,241,155.96	2,860,093.03	3,962,780.42	1,138,468.57	2,246,082.21
003 GENERAL-HOTEL/MOTEL TAX	328,906.97	1,508,796.25	1,510,059.50	327,643.72	379,403.75
004 GENERAL-TORT & LIABILITY	1,551,527.43	978,455.75	883,426.86	1,646,556.32	1,077,827.72
TOTAL-GENERAL FUNDS	8,187,858.27	28,063,910.58	32,088,455.46	4,163,313.39	4,919,487.54
<u>EMERGENCY LEVY FUND (B)</u>					
119 EMERGENCY LEVY	-	291,146.08	291,146.08	-	-
TOTAL-EMERGENCY LEVY FUND	-	291,146.08	291,146.08	-	-
<u>ROAD USE TAX (C)</u>					
110 ROAD USE TAX	2,846,606.89	3,810,329.82	4,038,964.64	2,617,972.07	2,576,309.03
TOTAL-ROAD USE TAX FUND	2,846,606.89	3,810,329.82	4,038,964.64	2,617,972.07	2,576,309.03
<u>EMPLOYEE BENEFIT FUNDS (D)</u>					
112 FICA & IPERS TAX LEVY	416,020.01	700,926.72	920,235.85	196,710.88	182,292.82
113 CITY INSURANCE - TAX LEVY	839,650.12	2,395,561.10	2,883,010.43	352,200.79	79,730.79
114 UNEMPLOYMENT - TAX LEVY	11,919.49	10,781.23	30.09	22,670.63	2,666.87
115 WORK COMP - TAX LEVY	14,785.88	468,598.25	549,300.00	(65,915.87)	(61,428.10)
117 FIRE/POLICE -410 BENEFITS	899,907.49	1,494,909.93	1,576,412.10	818,405.32	316,994.74
TOTAL-EMPLOYEE BENEFIT FUNDS	2,182,282.99	5,070,777.23	5,928,988.47	1,324,071.75	520,257.12
<u>TAX INCREMENT FINANCING (F)</u>					
126 MADISON LINDBERG TIF	-	14,389.69	12,569.69	1,820.00	-
127 MACC 01-1 TIF	31,012.21	2,173,318.29	479,826.04	1,724,504.46	1,321,934.05
128 S 24TH S OM RD UR	35,439.13	54,773.56	48,957.89	41,254.80	33,217.82
129 MANAWA BSNS PRK TIF	(16,564.91)	350,750.40	159,521.50	174,663.99	(1,237.91)
130 BENNETT AVE TIF	-	121,536.35	118,037.40	3,498.95	3,513.56
131 W BROADWAY TIF	93,924.70	10,538.09	48,597.01	55,865.78	77,864.58
132 DOWNTOWN TIF	146,176.76	57,305.48	53,809.59	149,672.65	236,031.82
133 E BROADWAY TIF	-	3,320.84	3,320.84	-	3,637.89
134 FEATHERSTONE TIF	-	29,853.32	29,853.32	-	-
135 METRO CROSSING TIF	-	-	-	-	-
136 PLAYLAND PARK TIF	-	50,495.25	45,578.00	4,917.25	-
137 OLD AIRPORT UR	-	28,754.00	28,754.00	-	-
TOTAL-TIF FUNDS	289,987.89	2,895,035.27	1,028,825.28	2,156,197.88	1,674,961.81
<u>CITY- LOCAL OPTION SALES TX (G)</u>					
121 CITY SALES TAX	4,648,075.14	5,852,618.22	2,196,068.25	8,304,625.11	4,502,176.12
TOTAL-LOCAL OPTION SALES TAX	4,648,075.14	5,852,618.22	2,196,068.25	8,304,625.11	4,502,176.12

6 B

CITY OF COUNCIL BLUFFS
FUND BALANCES
WITH COMPARISON TO PRIOR YEAR
February 28, 2009

	FUND BALANCE JULY 1, 2008	YEAR-TO-DATE REVENUES	YEAR-TO-DATE EXPENDITURES	FUND BALANCE TO DATE	FUND BALANCE February 29, 2008
<u>COMMUNITY DEVELOPMENT (H)</u>					
145 CD-BLOCK GRANT	364,088.62	586,152.03	1,047,320.25	(97,079.60)	(86,482.92)
146 CD-HOME PROGRAM	428,700.00	561,788.00	789,888.00	200,600.00	130,700.00
147 CD-INSTALL LOAN ESCROW	20,780.97	31,905.34	26,621.84	26,064.47	30,807.69
148 CD-NON CAPITAL PROJECTS	-	181,416.04	45,075.76	136,340.28	-
TOTAL-COMMUNITY DEVELOPMENT	813,569.59	1,361,261.41	1,908,905.85	265,925.15	75,024.77
<u>SPECIAL DISTRICT FUNDS (J)</u>					
162 LAKE MANAWA SSMID	47,652.17	65,704.51	54,602.12	58,754.56	11,428.50
163 MOSQUITO #22 DRAIN DIST	56,453.13	41,507.00	19,040.91	78,919.22	59,477.76
164 SIECK #32 DRAIN DIST	95,979.73	28,217.00	13,422.60	110,774.13	98,068.51
165 WEST LEWIS DRAIN DIST	233,965.05	39,238.00	7,962.26	265,240.79	232,634.37
TOTAL-SPECIAL DISTRICT FUNDS	434,050.08	174,666.51	95,027.89	513,688.70	401,609.14
<u>SPECIAL REVENUE FUNDS (K)</u>					
167 MISC PROJECTS	196,797.91	1,630,888.02	692,239.24	1,135,446.69	(88,612.28)
169 LIBR BLDG DONATION	26,620.04	1,103.46	-	27,723.50	26,071.94
170 LIBRARY GIFTS & MEM	220,118.16	121,602.73	72,208.03	269,512.86	188,860.49
171 DODGE SOLDIERS TR	128,911.68	5,354.43	-	134,266.11	126,254.51
172 4TH ST PRKG INVEST	51,963.00	-	-	51,963.00	51,963.00
177 FORFEITED ASSETS	44,165.70	10,056.63	440.16	53,782.17	40,470.53
178 FED FOREFEITED ASSET	-	-	-	-	-
179 POLICE CASH PROPRTY MGT	245.25	48.38	48.38	245.25	(136.75)
TOTAL-SPECIAL REVENUE FUNDS	668,821.74	1,769,053.65	764,935.81	1,672,939.58	344,871.44
<u>FIDUCIARY FUNDS (L)</u>					
950 MUNICIPAL HOUSING	9,999.98	457,124.42	518,790.18	(51,665.78)	(18,120.07)
951 SECTION 8	10,000.00	-	-	10,000.00	10,000.00
952 EMPLOYEE SAVINGS BONDS	137.50	4,400.00	4,450.00	87.50	(106.25)
953 FIRE PENSION	1,579.72	5,174.11	8,475.20	(1,721.37)	89.98
954 RETIREES-411 BENEFITS	(97,784.92)	67,874.37	315,257.93	(345,168.48)	(93,079.54)
TOTAL-FIDUCIARY FUNDS	(76,067.72)	534,572.90	846,973.31	(388,468.13)	(101,215.88)
<u>PERMANENT FUNDS (M)</u>					
500 FAIRVIEW CEM PERP	59,104.73	815.00	-	59,919.73	59,104.73
TOTAL-PERMANENT FUNDS	59,104.73	815.00	-	59,919.73	59,104.73
<u>DEBT SERVICE (N)</u>					
200 DEBT SERVICE	1,118,946.50	4,257,491.33	3,029,522.91	2,346,914.92	4,031,015.24
TOTAL-DEBT SERVICE FUND	1,118,946.50	4,257,491.33	3,029,522.91	2,346,914.92	4,031,015.24

6B